

AN

ADDRESS

TO THE

LATELY FORMED SOCIETY

OF THE

FRIENDS OF THE PEOPLE.

By JOHN WILDE, Esq. ADVOCATE,

FELLOW OF THE ROYAL SOCIETY, AND PROFESSOR OF CIVIL LAW IN THE
UNIVERSITY OF EDINBURGH.

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1798.

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BY JOHN WILDE, Esq. Advocate

OF THE SOCIETY, AND REGISTER OF CIVIL LAW IN THE

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LONDON.

PRINTED BY T. BARNES, AND F. WILKINSON, EDINBURGH.

1845.

To WILLIAM CARLYLE, Esq.

You remember, my dear friend, my having said, in the days of our earlier intimacy, that the first work I should publish, and with my name, I should dedicate to you. This declaration was made at a time of life, when my future years danced before me in all the gay colours of the element; when youthful hope felt every obstacle only as the young eagle feels the opposing breeze, and when even the utmost horizon of mental enjoyment was skirted with the richest livery of fancy. Some years (not very many) have passed over us since; and they have brought their changes along with them. Yet they have not much altered me; and you, perhaps, they have altered still less. With a mind averse to bustle, and with a heart whose strings were never tuned to any high strains of ambition, your wishes were always far beneath your talents; perhaps, and for that very reason, beneath your duties also. You have relinquished a profession for which you were early destined and highly qualified; qualified in every way except the inclination. In the retirement of a country life, and occupied in your favourite

country labours, I know you experience that placid enjoyment, which is of all others the most delightful to your heart ; but which still might have been mingled with pursuits, not more honourable, yet more active ; and which leading to greater eminence in life, would (in a mind like yours) have in no way impaired those feelings, or weakened those dispositions, that were to adorn and exhilarate the years of declining age. You have, however, made your choice ; and since you were resolved, it is perhaps as well that you made the choice so early. You are neither a man of solitude, nor a man of change. You have not retired to live like a hermit, but to enjoy society in the way you like it best. Your friends are sure of your happiness ; they can only regret (what you will not regret along with them) your fame.

For myself, (if you have at all erred) I have sinned perhaps in the contrary extreme. While the pursuit of my objects has been (generally taken) always measured and regulated, yet I certainly thought that circumstances were more easily mastered, than circumstances either are, or ever ought to be. I have found that both men and things are not (as indeed they ought not) to be estimated in all respects, by the sanguine calculations of untutored arithmetic. Even after experience should have made me wiser, my only consolation has been, that wisdom, when it does come, never comes too late. Yet though I have been sometimes mistaken in the
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fumbling, I have no reason to think that I misapprehended the rules. I have had more occasion to know men, than a less sanguine temperament, and more deliberate conduct would have caused. My opinion, I think, is made up for life. It is necessary that a man should attend (and attend much) to his own individual interest; it is a very sacred duty that to ourselves, and the more sacred that without it, we cannot well accomplish our duty to our neighbour; but there is much more virtue than vice among mankind. The faery visions of nineteen vanish with a few advancing years; but much reality still remains of pleasant early contemplation. There is no cause for any material change of conduct. I shall follow substantially the same course I have hitherto done; with mitigated hopes, but not with mitigated ardour.

You and I can thus still converse with one another on the same footing, and nearly in the same manner, as in more early years. I still find myself equally disposed to proclaim, and to honour myself with your friendship. I now fulfil my youthful obligation, with the same sentiments I contracted it; and inscribe the following Work to friendship and to you.

It is but a fragment; even of the bulk that it now appears. I mean by relating, in a friendly manner to you, the story of its beginnings and progress, to supply and explain some of those circum-

stances ; of which the want or the obscurity, might make the thing be thought even less complete than it is. I shall go a good way back ; and I shall speak (which in such a matter is by far the best way) just as if I were speaking to you privately.

My political sentiments you knew well ; as indeed did all my friends ; even those with whom my intimacy was less than with you, and with a few others who had and have the key of my bosom. I never, as you know, and indeed as every body knew, (for I made it a point of honour to declare it,) belonged to any party in Scotland ; though there were many of all descriptions very keenly beating up for volunteers. I called myself (and was) always a *Rockingham Whig* ; and nothing else. So far as others thought with that connection, or appeared to think, I thought with them ; and no farther : and to that extent my unstipulated services (such as they could be) were in readiness ; at command, wish, or appearance of wish. I acted also on my own impulse of conscience. But the act was more delightful which fell in with common counsels ; and of which the means and execution were of common contrivance and common toil.

It was easy for any one to see that (in Scotland) personal attachments or views of interest, (generally at least) were the means which united men under the great divisions of party ; whether on the
side

side of administration or of opposition. The reason of this, it was easy to see also. From the union of the kingdoms, down to within but a late period, (the cause of other great distinctions being done away) the only names of parties that remained, were those of Jacobites and Whigs. Two rebellions, both originating in Scotland, tended to keep up these names with us, after a distinction of this kind in England was totally forgotten. These events did more. They prevented the people of Scotland from observing so closely, as in England, the progress of government; and other causes concurring, that confined our attention here to home affairs, no system of parties on either side was formed among us, by the events and measures of government, such as were formed and existed so strongly among our Southern neighbours. There were persons, who were for more liberty; and others who were for less. There were those who admired republics; and those who venerated monarchies: some who ranged themselves on the side of the people, and others who stood up for the throne. But these were all merely general principles, and applicable in no way to the body and system of our constitution; far different from what had characterised Scotland in the periods before the union. The majority of the kingdom, perhaps, (from plain enough causes) cared not a great deal even about these general principles. It could not, therefore, be otherwise, (and it is in the

circumstances no matter of reproach) than that no system of principles, applicable to the duty of the season, and combined with our constitution as it actually stood, could have been early formed in Scotland. The American war, and the events which followed it, brought in names of attachment; the first of the sort since those had fallen, that chieftainship consecrated, or which marked the zeal of Jacobites and Whigs. Parties, too, being so far advanced, and in some respects far degenerated from their original virtue, in England, their corruptions (as will always, and naturally, happen to late imitators) were fully as much copied as their excellencies. The idea of attaching yourself to a party (and, in the indifference of political opinion, this might be done, though without any virtue, yet without any dishonour) primarily to add strength to your own interest, and to be borne forward to promotion on the general current, became in this manner too prevalent. It was the general feature of all Scottish parties. Yet I thought I saw the minds of many men forming to a connection (not excluding personal attachments; for these are essential to a virtuous and permanent party; nor forbidding to any person a prudent and regulated care of his interest; for that public virtue must be frail and uncertain, and indeed is none, which states itself in regular opposition to private duties; but a connection) rising from, and founded upon, a known and defined system, applicable

cable to the notions entertained by its members of the real constitution of the state; free from dangerous theories; not averse to improvements; linked together upon public principle, endeared and made strong in many instances by private friendship; and existing for great public ends. I cannot persuade myself that this was a mere vision. If it was, I am sure it was to me a pleasant dream. I thought the whiggism of the Rockingham connection was beginning to take root in Scotland, and that its branches were to wave over the land. This wretched revolution in France, among its other evils, has thrown us back, in Scotland, to where we were before; to vague, general, undefined notions, which may do much mischief, but never any good; or it has left us mere names of personal attachment, or mere views of personal advantage. While the prospect seemed the fairest, the sky was overcast, and the season changed; the vegetating warmth has ceased, and these "tyrannous" blasts have "shaken all our buds from blowing."

My sentiments of this great calamity that has fallen on France, and reached in its effects to other countries, were, at its beginnings, what at its beginnings they should have been. I thought the salvation of Europe was at hand. In the body of the work, I have told when and why I changed my sentiments; or rather *when* I found, by the evidence of facts, that all the sentiments I had cherished,

cherished, from the earliest record of feeling and intellect upwards, had been violated and outraged by the doctrines and proceedings in France. This was at a very early period of their iniquities.

It was long subsequent to this time that Mr. Burke's work appeared. The reading of that book, was an æra in the life of man. It is an enjoyment that can leave the mind only in the last glimmer of memory. I know not how any person resisted conviction. I had no need for conviction.

After the publication of Mr. Burke's work, (indeed a very few days after it) a paragraph appeared in an Edinburgh Newspaper, speaking favourably of the book, but charging its author with inconsistency. Immediately upon reading the paragraph, I sat down and wrote a page or two in answer to this charge; in which, from the collation of passages in Mr. Burke's speeches upon American affairs, and his bill of œconomical reformation, the consistency of sentiment, in the book on the revolution, was made out most clearly. It was sent away as soon as written; and was inserted. I have got it copied from the newspaper; and placed it below *.

From

* I observe in your Retrospect of Politics in the paper of Thursday evening, some remarks upon the publication of Mr. Burke, concerning the revolution in France.

These remarks, like the generality of those which appear in your paper, seem dictated by candour; but they do not strike me, like the generality, as the offspring of judgment.

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From this time (though I saw all or most of the answers to the "Reflections" in their order, yet) I saw nothing that in the least moved me to take any further notice of this subject, till I read at last, in

In these remarks, it is said, that Mr. Burke's principles in this publication, however just in themselves, are *inconsistent* with his antient doctrines and conduct, and indeed an absolute *dereliction* of them.

I should be sorry were this true; for though obstinacy in itself be no virtue, and though no man can be praised for inveteracy in error, yet consistency in a statesman, especially in an old statesman, is certainly the best, perhaps the only, at least external, test of his political integrity. I can allow those who have not read the book, or who having read, are interested to misunderstand it;—I can allow such persons to speak as they please, without it ever moving my bile, or exciting even a transient frown. But, I cannot allow the errors of candid criticism to remain uncorrected. The *winged words* of John Horne Tooke pass by me, (as I believe they pass by every other) "like the idle wind which we regard not." The involuntary mistakes of those who wish to judge aright, claim attention, pardon, and respect.

The book upon the French revolution, maintains that the constitution of France should have been rendered free, instead of being tyrannized over by a *wild democracy*, or trampled upon by an *ignoble oligarchy*. Is this tenet *inconsistent* with Mr. Burke's conduct, or a *dereliction* of his principles? I do not remember that he ever wrote or spoke in favour of the attempt of *Massaniello*, or in vindication of the power of the thirty tyrants of Athens. But to be more particular.

About twenty years ago, Mr. Burke published his "Thoughts on the cause of the present discontents." This book was then, and has ever since been understood, as the confession of the

in the Morning Chronicle, the letter of M. De Pont. From some circumstances attending that letter, I thought it might be adviseable, to detail more at length, and as in chronology, the matters of

the faith of the Rockingham Whigs. But the general principles of this book are, *in all respects*, the same with those maintained in the book on the French Revolution. To be more particular still.

In this last book, the battery of his argument is chiefly directed against the establishment of government upon the metaphysical principles of the rights of men; which principles serve only as the *justification* of liberty, not as its *basis*. Fifteen years ago, when pleading the cause of the Americans, he speaks thus (speech for conciliation with the colonies, p. 85.) "It is a very great mistake to imagine that mankind follow up practically any *speculative* principle, either of government or of freedom, as far as it will go in argument, or logical illation. We Englishmen stop very short of the principles upon which we support any given part of our constitution, or even the whole of it together. This is nothing but what is natural and proper. All Government, indeed every human benefit and enjoyment, every virtue, and every prudent act, is founded on compromise and barter. We balance inconveniencies; we give and take; we remit some rights that we may enjoy others; and we chuse rather to be *happy citizens* than *subtle disputants*." Is it here Sir, that you find the *inconsistency* of which you talk? On the contrary, while pleading the real rights of men in the cause of America, you would imagine that this was a grave admonition to the disputants of France, not to sheathe their metaphysic sword in the bowels of their country. Again,

In the book of the French revolution, he condemns, and condemns severely, the confiscation of property in France; and

of fact as to Mr. Burke's consistency ; and though I never had been in the practice (and disliked it much) of publishing any thing in a newspaper, yet I saw no other way of compassing the matter here ;
and

and maintains that for any state to rob its citizens on pretence of liberty, is complete tyranny. Ten years ago, in the speech on his bill for "œconomical reformation" &c. his sentiments are the same. (Speech, p. 61.) He is speaking of the great patent offices in the Exchequer. "These places" (he says,) "and others of the same kind, which are held for life, have been considered as property. They have been given as a provision for children : they have been the subject of family settlements ; they have been the security of creditors. What the law respects shall be sacred to me. If the barriers of law should be broken down, upon ideas of convenience, even of public convenience, we shall have no longer any thing certain among us. *If the discretion of power is once let loose upon property, we can be at no loss to determine whose power, and what discretion it is, that will prevail at last.*" So far, Sir, from dereliction of principle, these words might be made the motto to the book on the revolution of France.

Many other similar passages have struck me within this half hour. But the bounds of your paper cannot admit them. Indeed to any one, even slightly acquainted with Mr. Burke's writings and his conduct, the exhibition of such passages is superfluous. The flame of liberty which burns in his breast, has never been employed to ravage or destroy, but to cherish and illuminate : It has never spread like wild-fire, but ascended in a steady and orderly blaze, to that heaven from which it came. His exertions in favour of the people have always been the exertions of a whig and a royalist ; two words which never were separated in the antient vocabulary of English
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and I determined accordingly to transmit three or four letters, (to exhaust the subject as I then thought,) for publication by this mode in London. However, writing on, I soon found, that the matter carried

freedom; two words which his great and enlightened friend has never separated; and which are bound together in the manly policy of the whole house of Cavendish. The name of Whig includes opposition to the abstract rights of government, arising from the illimitable nature of sovereignty, when urged in defiance of the rights, the security, the peace, the prosperity, of the people.—A Whig, therefore, opposed the American war.—The name of Whig, includes opposition to the abstract rights of men, when employed, not to vindicate freedom, but to overturn all legitimate government. A Whig, therefore, opposes the democracy, or rather the oligarchy, of France. In both he is consistent. Were he to act otherwise, he would be inconsistent in the extreme. He would shew that he had no zeal for the cause of the people. He would shew that he did not bear, (what Mr. Burke mentions as his grand inducement to the bill of reform) *a settled, habitual, systematic affection to the cause and to the principles of government.*

It is said in your paper, that *Aristocracy* is now the same as *Toryism*. Sir, if *Aristocracy* be *Toryism*, there never was a Whig in England. They were not Whigs who placed our William on the throne. Even Sidney, Russel, and Locke, were not Whigs. The first and last of these great men, were political writers. They had to oppose the stupid stuff of Filmer. They had accordingly to go more into the elements of government, than there is any occasion in our days. But they would be ashamed indeed, were they now to know, that those, whom they had taken so much pains to teach, were not yet got beyond their accidence; and had yet to learn that, in all

free

carried me into a much larger field than suited a plan of this sort. It was drawing near the time of our spring vacation, in the Court of Session; and I laid aside my papers till it should arrive.

With free governments, though they do not form an exclusive portion, yet the *optimates* always will, and always ought to give the predominating colour to the state.

These great men were also religious. Mingling their fervour for liberty, with veneration for its great cause, they would indeed have rejoiced in our days, to have beheld a free constitution in France, presented as a peace offering to the superintending benignity, that watches over the human race. But they could not have borne to see the mangled limbs, and scattered members, of their fair and venerated mountain nymph, devoted with *Canidian* invocations to the *Dii manes*!

But I am rushing far beyond my design. My design was merely to shew, that Mr. Burke had been guilty of no dereliction of principle; and I have shewn it. I mean to make no panegyric of this great man. It is not every vulgar throat, that is fitted to tune the hymn of praise to the benefactors of mankind.

If in any part of the book on the revolution in France, any person thinks he can still point out any inconsistency, or dereliction of principle, he shall have from me, if he desires it, a simple and a sober answer. I am not of consequence enough to tell who I am; but neither am I ashamed to own myself. My principles, I am sure, are not servile. I have not sufficient foresight to predict, whether my country be like to suffer most from the illegitimate influence of the crown, or the equally illegitimate influence of the people. I have not lived long; but I have seen it suffer from both. As I have hitherto lived, however, so I hope I shall, in the worst event, have the courage to die, in the principles of a ROCKINGHAM WARRIOR.

With occasional interruptions, I went on during this time, having formed my plan ; and had carried it to more than half the size of this book, by about the middle of May. At that time the melancholy news arrived (more grievous to me ; some of our common friends witnessed it ; than any public event that ever happened) of the great debate on the Quebec bill. Its effect upon me, was a resolution to put my work to the press immediately. I entered into a correspondence on the subject ; but the lateness of the season, the thing not being completed, and other circumstances which it is needless to mention, prevented this from taking place at the time. I then also received the *Vindicia Gallica* from my friend Mr. Mackintosh. It was a work that deserved to be pondered indeed. Our court had commenced the summer session. My book was laid aside for the autumn vacation ; which I had resolved to appropriate to that purpose wholly. The autumn vacation came ; but I found neither time nor inclination for writing. It was *multum et præclara minatus* ; and nothing more. Something was added about the end of the season ; and the whole affair fell asleep. In that state it now lies.

It was in this summer of 1791, that the first meeting was held at Edinburgh, to celebrate the fourteenth of July. It was, in general, as I have always understood, a very respectable meeting ; and I know certainly that it was attended by

some persons, with the very best views ; and who would have honoured any meeting or place. These were not circumstances to repress, but rather to call out indignation. I again used the channel of a newspaper. I believe what I wrote was by some blamed, and by some lamented. It was written very hurriedly, very early in a morning on the day of publication ; and in less than three hours. They were, however, and are, my cool and deliberate sentiments. As a further proof of my own consistency (and as compared with what will be found authenticated in this *Address*) I have placed this letter likewise in a note below *. It was my only exertion.

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* Sir,

Having observed an advertisement in the Edinburgh newspapers, by which certain Gentlemen announce their intention of dining together, in commemoration of the French revolution, upon the 14th current ; I venture through the channel of your paper, to address them in as few words, as the occasion will permit me to employ.

As it is proper that every dining, or supping, or debating society, or whatever else the purpose of the meeting may be, should have some appropriated name, you, Gentlemen, have chosen to distinguish yourselves, by the style and title of, *The Friends of Liberty in Scotland*.

Liberty is a good thing ; and a friend of liberty is an excellent character. Being not naturally disposed to think ill of mankind, I am exceedingly willing to think well of you from your title.—At the same time, experience has taught me, that it is necessary sometimes, to put our instincts under

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The *Appeal from the New to the Old Whigs* had contributed indeed somewhat to slacken my industry; at least my indolence reposed on it in the way of excuse. Indeed the "Appeal" precluded

the tuition of our judgment. There are so many quacks who now administer boluses of freedom, that the patient is justifiable, though distrusting the wig—and the snuff-box—and the case—he should demand a sight of the diploma, conferring the degree, which gives the power to kill or to cure.

Where then, Gentlemen, did you obtain your degrees? What professor of freedom instructed you in its science? What course of studies have you gone through? What specimens of your knowledge have you exhibited? As a lover of liberty in general, I am entitled to ask these questions. As a Scotfman, I am particularly interested in the answer to them. For though a degree gives the licence (if I am rightly informed) to practice *ubicumque terrarum*; yet you, in your great goodness, have chosen to advertise as resident practitioners for Scotland.

Poor Scotland, it must be confessed, has been long in a bad way. She is certainly much obliged to you for your attention. But before she goes to the dispensary, which you advertise to open on the fourteenth, she must be forgiven if, in the first place, she very naturally inquires concerning your abilities and character.

According to your own account, you have studied the theory and practice of liberty, in the college of the rights of man, lately established at Paris.—Having some predilection for the older schools, I must frankly own, that this circumstance carries to my mind no recommendation.—The anatomical school there seems, indeed, to have exemplified a bold theory, by a still bolder practice.—Imitating the Egyptian school recorded by Celsus; the anatomists of Paris have
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cluded all fort of defence ; but what I had written went much farther than defence.

With resolutions overcome, as soon as they were formed, by occupation or idleness, I was awaken-

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dealt only in living subjects. The reeking hearts of *Foulon* and *Berthier*, and many more, minced down by the professors, while palpitating under the dissecting knife, are bold evidences of their zeal. They have even far outdone the original by their copy. The Egyptian practitioners displayed their art only upon condemned criminals, given up to them by the law. Your professors dragged from before the seat of judgment men uncondemned, men even unheard, men whom the judges even of democracy endeavoured to protect, or at least pretended to do it, and, stretching them on the dissecting table, demonstrated to their students, amidst the writhings and convulsions of expiring nature, the means, ends, and objects of the rights of men !

Studies of this kind, do not qualify for practice in Scotland. The doctors of Paris will get no establishment here. Other testimonials of skill must be produced, than the purchased diploma of a mob. Till then we must (though as civilly as we can) decline the honour of your attendance. To you, Gentlemen, we have no objection ; but we do not like the school in which you have been taught, and we think very ill of its doctrines.

What is it that rational men can find to applaud in the revolution of France ? Is it the capture of the Bastille ?

Gentlemen, when I first heard that this fortress was demolished, I rejoiced as much as any of you can do. If eating and drinking are to be reckoned the appropriated and legitimate marks of applause, I should have met with you any where, and should have ate myself (had you demanded it) into a surfeit, or drunk till my eyes reeled in their sockets.

Indeed

ed only by the establishment and manifestoes of the *Society of the Friends of the People*, begun at London in summer 1792. I then wrote a few pages ; which form the beginning of this address.

I

Indeed I did consider it to be a great deliverance. Little did I think that this fortress was demolished, only to make a Bastile of all France. Little did I imagine that it was demolished by savages, and not by heroes. But its captors did not leave their nature long in question. They have published their own annals, and recorded their own triumphs. Read them, Gentlemen ; tell me if all the centuries of the Bastile can equal the months of their domination. When *Arné* mounted its walls, I had figured to myself the shades of patriots long departed, the *Bruti* and *Sidneys*, and all the spirits of the illustrious dead, hovering in air over the battlements, smiling upon the children of liberty in France ; and my soul, in imagination, flew to join them. Alas ! Gentlemen, it was no such heavenly vision ! the demons of perdition rode in the air ! The towers of the Bastile fell before the incantations of the enemy of man ! The shades of the brave and free, did not tune their heavenly harps to the immortal song of liberty ! The spirits of the abyss discordantly howled the dirge of the human race !

A man in whose mind the very *name* of freedom, did not raise strong emotions, and who judged of every thing merely in reason, might have condemned the taking of the Bastile by an armed mob, during the sitting of an assembly, whose business it was legislatively to correct the establishments, and abolish the evils of France. This he might have done even though as ill informed of the causes and ends of this demolition, as myself, and most of the inhabitants of this country, were at that period. This he might have done, even considering this capture in all the light colouring, in which the songsters of the day,

I have mentioned there also the way in which (after again ceasing) it was resumed.

It has been gone through with great interruptions; and in the very middle of many other things.

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day (some of them, I am sorry to say it, female ones) have decked it. But this I could not do. The excesses of new born liberty must have my pardon, because in similar circumstances they might have had my participation. But when it became evident that the destroyers of the Bastille were to be the tyrants of France; when they destroyed all government but their own despotism; and established a *system* of cool and deliberate murder; my soul turned with abhorrence from these men of blood; nor can I conceive how any human creature can now, by any self illusion, continue to allow the false glare, and affected splendour of this capture, to play about his fancy, and prevent the eye of reason and natural feeling from fixing upon its obvious causes and effects; both of them such as to degrade and villify the nature of man.

If it is not the capture of the Bastille, surely, Gentlemen, it is not *the fifth and sixth of October*, that you mean to celebrate. Even in Paris itself, these days are not defended. I cannot conceive they should be applauded here.

However, in this strange history of the triumphs of France, it is not easy to say what may be done. Paris has lately witnessed another triumph; more execrable far, in my opinion, than even the infernal procession of October 1789. I do not know, Gentlemen, what you think of this last triumph; but I know to a certainty, that he who can endure the one will applaud the other.

I really do entreat your attention, Gentlemen, while I venture to place the late transactions in Paris, for a few moments under your view, and to ask whether a revolution, which can permit such things, deserves to be celebrated by human beings.

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things. I had got to to the length of the thirty-first page, when the news arrived of the first days of September. It was afterwards laid aside for a time ; and a very long interval took place during the

We are every day told, that a revolution cannot be effected but by blood. So far as this proposition applies to the vindication of the revolution in France, it takes for granted what the history contradicts.—A revolution had taken place in France, a complete revolution ; and the hair of not one man's head had been touched in all her borders. It is the destroyers of this revolution, who have spilt the blood of France. The armed mob who legislate for it, and who style themselves the *nation*, wished a revolution of their own making. In all reason and argument, this revolution should be vindicated before it be praised. We know that they have destroyed the states which they themselves called for. They have given us no reason to think that they were wiser and better at this last period, than they were in the former. But before you shed blood, you should shew reasons.

But how is it that blood has been shed in France ! Has it been in generous and manly contention ! Has it been in open and honourable struggles ! Blood has been shed " in the " olden time," and it has dignified that very humanity which it seemed to outrage. But is it thus in France ? Alas ! Gentlemen, how dreadfully the reverse ! In France, the curse of the prophet has met with the most awful completion. Her " slain men are not slain with the sword, nor dead in battle ! " Mean and cowardly assassinations have usurped the place of honourable warfare. Every thing disgraceful and degrading, ferocious and brutal, every thing that contaminates and pollutes the human mind, are now the characteristics of a nation ; once in gallantry of arms and heroic spirit, the model and boast of Europe.

This

the winter. I had much besides to do. It does not become me to say what I have done (and I am very sensible of what ought to be done) in that station to which private friendship, without

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political

This is indeed a miserable revolution! Much blood has been shed in this way. But it is not the numbers they have murdered, that so much constitute their crimes; dreadful as this consideration is. It is the principle of murder (established as the first grand inference from the code of the rights of men) that is the most horrible.—The moral politics of the *Old Man of the Mountain* excepted, and those of the gang of fanatical assassins whom he reared, nothing has hitherto appeared in the world, similar to what is now to be celebrated as liberty in France. The wisdom and goodness of the Almighty, I reverence too much to challenge. Yet the argument for an evil principle (could providence allow things to remain as they are in France) would receive a confirmation, which all the perverted science of the human mind had never been able to give it in any former age. They do not even murder with the humanity of the old murderers. They cut mens' hearts into quivering morsels, small enough to be pecked by a sparrow.

Is this the anniversary, Gentlemen, that you are about to celebrate! Is this the liberty, which is to be held a boon from the Creator to the human race! But we must turn our eyes from such objects. Circumstances equally degrading are to be found. None can be found so horrible.

What do you think, Gentlemen, of the treatment of the King and Queen of France! I am not going to talk of the merits of different forms of government. If the French wish, or if you wish, for a democracy, many good men (though I do not admire their wisdom in it) have done the same. But in that case, why do they keep their King and Queen? Two human beings kept
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political aid in any quarter, and even without my seeking, has raised me. But it has been a great labour in that place, to put together (had there been besides it nothing else) the mere letters of the alphabet

for the sole purpose of being insulted, is an institution good for no government, either in theory or in practice. To all human feeling it is most mean and savage.

But the French keep them as hostages against the evils of war. And I have heard people who pretend to be men, that think this a good reason. I do not mean to argue with such persons. All the injustice that ever was committed may be so vindicated. But such policy is as false as it is wicked. It must infallibly produce war. Those who regard the King and Queen of France, cannot long endure to behold them the sport, instead of the Sovereigns of the people. They would rather see them not exist than exist thus. The brother of the Queen of France must be destitute, not of the feelings of a Sovereign only but of a man, were he not to attempt her rescue. In the prosecution of this enterprise, it would be false humanity alone, that could turn him aside from his purpose; though he should ride up to the stirrups in blood, from the banks of the Rhine to the gates of Paris! War never was justifiable, if not in such a cause. Those who think that sovereigns are made not to be obeyed, but insulted, are preparing for their country the greatest calamities. They have already incurred the horrid guilt of murder. They may save their country (it is the only way *they* can save it) by having now incurred the guilt of war.

Who is the King that the French thus cowardly and atrociously insult!—Your own Mr. Paine tells you, Gentlemen, that he is the most benevolent of men. He tells you that there is as great a difference between Louis the Fourteenth and the present Monarch, as between *tyranny* and *benevolence*.

He

phabet themselves, in so great a variety of combinations. In this situation, if what I did as to this work had not been a labour of love, it could not (im-

He tells you that the *practice* of despotism had ceased during *all* his reign. This King did not oppose the freedom of France; he yielded much more than any King should have yielded to his people. Why then, in the name of outraged humanity! Why keep him for a show and derision to the lowest vulgar; as a practical example of contempt for all government; and a means of infusing a cowardly insolence and base cruelty into the minds of a whole people!

Who is the Queen thus persecuted by the French! Are you, Gentlemen, assembled to insult over female misery! An old poet tells us, that

“ Mightiest hands forgett their manlineffe,
 “ Drawn by the power of a hart-robbing eye,
 “ And wrapt in fetters of a golden tresse.”

I am afraid that the sentiment is now more antiquated, than the spelling. That revolution of character in France, which has taken away the reverence of sex, is the most debasing thing that has yet happened in the universe.—It is no wonder that they are murderers, who can savagely rejoice, as the beings miscalled men that inhabit Paris do, over distressed female beauty.

Can the French allege any thing against this Queen! Have they even attempted, at any period, to charge her with opposing the gift of a free constitution! No man, in or out of their assembly, has said it. Calumnies of another kind have indeed been propagated, with an industry formerly unknown, even in the profelytism of religion. A love for anecdote is considerable at all times. In this age it is almost insatiable. A man believes almost before he hears; and as there is not much faith of another description, we seem resolved to compensate

(imperfect even as it now comes forth) have ever, by any means, been accomplished.

Its general structure was thus planned ; admitting, in its very scheme, great latitude and variation.

After

penstate infidelity of one kind, by credulity of another. I have read much about the Queen of France ; and I am still an unbeliever. But even among the faithful, among the true believers in that most necessary article of the new French creed, which regards the fame of the Queen of that country, what person can be found, who will maintain in argument, that these calumnies have any connection with her conduct as a sovereign ! No person will do this but a madman. I cannot easily guess, Gentlemen, what you precisely propose to yourselves, as the object of your meeting. It is, however, something political undoubtedly. Grave as you may be, and demure and saturnine ; much as you may lament the vices of the age, and groan in spirit over the licentious manners too prevalent in our fashionable circles, I am pretty confident, at the same time, that you do not meet together, for the purpose of hearing or delivering sermons against female frailty.

I intended, Gentlemen, to have conversed with you at still greater length. But I find that this is not a subject of short discussion. I have hardly begun when I must finish.—At parting, let me only tell you, that it does not follow that the French are free, because they call themselves so. When the monster Caliban was admitted by Stephano the butler to *lick his foot*, he felt and expressed himself as the Parisians do. Elated with this honour, and in a paroxysm of joy, he scampered about shouting, “Freedom ! hey day ! hey day ! Freedom ! Freedom ! hey day ! Freedom !” I have too good an opinion of you, Gentlemen, to think that you will adopt Caliban’s chorus to any of your constitutional songs.

DECIUS.

After some introductory remarks, three great views were to be taken. The beginnings of the revolution in France, its pretences and spirit ; the former government of that country ; what, in the revolution, might have been done, and what was done. Next, the systematic and principled doctrines of party in England ; the old constitution ; its establishment at the revolution, after the tyrannical administration of short and calamitous times ; the causes and principles of that event ; the policy of the succeeding reigns down to the present ; and principally (to which the rest was preparatory merely) the history of parties in this reign ; the grounds of its policy and its consequences. And, in the end, the new doctrines of change, (particularly as maintained with such force and dexterity of argument by my friend Mr. Mackintosh) were to be examined ; in the principles upon which they were put, and in the inferences which necessarily followed from them. In these three views, it was to be shewn (taking them separately and in conjunction) that the schemes held out by the newly formed society, and according to what they set forth themselves, ought to be abandoned, as dangerous in the undertaking and pernicious in the effect ; as of perilous example and unfounded theory ; equally repugnant to the constitution of this country, and to the principles of the great Whig party, to which the associators (or most of them) had belonged.

I thought to have comprehended all this in a moderate space ; but it has not been done. Very little more has been accomplished than the first view ; upon which my original design was to have said not a great deal. Even with regard to it, as considered in its extent, much remains unfinished. I have glanced at the other two matters ; but only glanced.

It was evident, that upon such a plan I had given myself much range. My great business was with the society and their schemes and principles ; and with the whole general doctrines of reformation and change that have gone abroad among the people. The narrative of events, or the production of documents, were only subsidiary things. Meditation was free ; and I might follow its impulse unrestrained, when I thought that it pointed in the line of my subject. All the three views had much in common. No laws of method required me to delay what was strongly suggested, and strongly illustrated, by the events detailed or the documents produced, till its own appropriated place should come in artificial (or, as it might be, in arbitrary) arrangement. Following natural association, I was most likely to follow natural order. I was not writing history primarily ; but bringing historical facts to reason for me, or to support my reasoning ; reasoning at all times (which otherwise is a most idle or a most pernicious thing) consolidated with, drawn from, and founded upon them.

Accord-

Accordingly, while I have not been able to reach the other parts of my subject (what I have grasped of them in their place being only as an handful) yet, in several important points, these other parts will be found in what I have said on the first portion of the subject. As to the facts, without which I proceed in no case a single step, and as to their fairness, fullness, and authenticity, I have said enough of this in the work itself; where I have said very little.

Such was my plan; and such has been its failure and accomplishment. Great differences of time (even in the short space of its composition) must be observable, but were not to be removed. Otherwise I must have written twenty books. The days of the French revolution, have been like the prophetic days; days of years.

It is necessary, perhaps, that I should say something as to some of these differences. There are some of them such that I might otherwise incur the displeasure of mistaken English generosity; a punishment which would to me be very severe.

I have spoken in terms of the highest reprobation, of persons who have fallen from great power. Even those who think with me otherwise, might point to their prison walls, and ask me whether I should not now be silent. I ought not to be silent.

My natural disposition is to be on the side of misfortune and weakness; to an excess of feeling that is
per-

perhaps criminal, and most certainly is not virtuous, I should be grieved indeed, were it wholly beyond the controul of reason. I have no pity for those persons, in whose case pity has been sought to be excited for purposes the most unworthy. The beginners of the French revolution, and who carried it actively on as the leaders, till the establishment, (if it is so to be called) and after the establishment, of their first constitution, were just as criminal as those who now are execrated over all Europe. Marat, Petion, Roberespierre, Brissot, and all the other horrid names of the beings in Paris, contending or in union with each other, and who now form the only ruling power in France, were many of them members of the first National Assembly, and all of them known agents in the business of the revolution, from or nearly at its commencement. There is no difference of mind. It is an error in fact, but an error in its consequences much worse than of fact, to have the persuasion that there is any difference. Some difference from education and habits of life, there may have been. Democratic crimes might in some instances wear aristocratic livery. But this was no palliation. The leaders in the first National Assembly (among whom Petion and Roberespierre held a very distinguished place) were equally bent upon destruction, and with the same motives, as those who have destroyed them. Many of them are not destroyed. Was there not Camus? and is there not Sieyes?

Sieyes? is there not Rabaut? It was a mere war of factions for victory. There are deadly hostilities (it is said) now among the conquerors: among the murderers of August and the murderers of September. Hell is the place of discord; and wickedness is no bond of union to devils. It would be criminal in the extreme, to allow the feeling of compassion to subvert utterly the sentiments of reason and justice. Even the humanity of the tenderest heart (all the circumstances being known) would find that real compassion (here as in every other case) was linked most closely with truth and virtue. Their demands would make the heart firm; nor even with a predisposition to weakness, could external circumstances of distress turn aside the strong resolution of his judgment. His sentiments of severe and necessary justice would unwind themselves (even in such a man and in such a heart) with the slowness of an eight-day clock.

I am not pronouncing sentence upon any man. That belongs to power, which I neither have, nor wish to have. I am not even entitled to give counsel to those, who may "regulate the state (if such should be their fortune) with a discriminating, manly, and provident mercy." Such things are not mine. But it is mine; having undertaken to speak the truth; to speak it when necessary, and to justify it when spoken. Far be it from me, to insult calamity! Far be it from me,
with

with the knowledge, to make the apology, of guilt and crime !

More might be said ; but he who reads the book with attention, will assuredly think that I have said enough.

One or two passages in the book I have taken out altogether. Not that my opinions on these things have changed ; but their remaining could have served no purpose of utility ; might have even been productive of evil. I mean passages relating to Mr. Pitt and the present administration.

As a Whig, I must condemn, and have condemned, the violation of the constitution of England in 1784. It was necessary even to express this ; as making part of my argument in a portion of this work. But with all this, I am Mr. Pitt's liegeman, and do him homage. His acquisition of power has my detestation. His employment of it on frequent occasions, has my severest censure. Could such a thing be supposed as an attempt to conciliate me by any favour, it would be refused. But as a free citizen of this country, and as a loyal subject of my King, the present administration has my heart and my hand ; my sure exertion and my fixed confidence. In such circumstances, it would be absurdity and wrong to speak of what has been, forgetting what is ; unless where the past may guide the present, and enlighten the future ; where instruction is held forth or is obtained, and not a channel merely sought for the flow of even honest indig-

indignation. I have therefore not unsaid, but omitted to say, many things ; which in other circumstances would have been brought forward, without malevolence but without disguise.

It is thus not likely, that I should do myself any sort of service by this publication. Some of our friends have thought that it might be much the reverse. It has even been said, that it might hurt me much in my professional pursuits at the bar ; and great dissuasion on this ground was used, till it was too late for dissuasion.

This consideration is a very serious one. In the performance of duty, it is indeed mean and unworthy to hesitate at danger. Yet there is nothing more apt to lead the mind astray than the idea of making a sacrifice. The person acquires a sort of merit in his own eyes (the illusion is indeed generous where it is an illusion) by which duty is eclipsed in the sensation of glory. Such a feeling may lead both to act and to reason wrong. In such a situation we are too apt likewise, to imagine that the sacrifice may be more necessary than in fact it is ; and to esteem it more efficacious, than it ever can be. But before we throw away any thing, two circumstances are very necessary to be considered ; the value of the thing in possession, or in prospect, to ourselves, and the advantage which the cause of truth may acquire by our risking it. If this last be not of a very important and necessary sort, it is mistaken feeling, we may almost always

be sure, and not rational duty, that dictates the sacrifice, or encounters even the hazard of it.

I have examined my mind upon this question ; and I think severely. I am persuaded that the call is authoritative. I am certain that it would be a narrow and unwise prudence (if such a name can be coupled with such epithets) which should lead me to shun any danger there may be. More than this ; it is a matter of necessity. If I were not to do, what I am now doing, and to perform a duty for which I am furnished with the means, I could never afterwards promise myself, in any future period of my life, to enjoy any thing like human sleep.

Nor do I think (after all that has been said to me,) that the danger is great. The risk lies chiefly in the consideration, that to be much engaged in other inquiries, indicates a mind not sufficiently settled to professional pursuits ; and it has been added, that, in the present instance, this general consideration acquires much weight from the particular nature of the work in question. Men will not reckon their dearest concerns securely placed in his hands, who can find time to busy himself so much in the concerns of Kings and kingdoms. They will employ others, who will dedicate their time only to their proper business ; and whose speculations only follow in the track of their fees.

The opinion of the world is certainly not to be
flight.

slighted ; which holds a man very close to his profession, and esteems general accomplishments (even where they are possessed) but little in comparison with less equivocal attainments. Especially this opinion is not to be slighted by me, whose frame of mind (as you well know) is such, that the profession of the law, as it exists in this country, touches more nearly, in exertion and prospects, than any other (however honourable, yet less active) occupation. You know that, in my dispositions and wishes, (while I would neglect no duty of another station, and even fulfil that duty with much and real pleasure) I would yet prefer speaking the jargon of a *sine-bar*, in a two-penny halfpenny cause, to the fame to be derived from academic discourses, that should rival the philosophic eloquence heard in Athens of old. But all this notwithstanding, (both considered as in itself and relatively to me) proves no more, in a call of imperious duty, than that an explanation is due to the world of the motives and the ends of conduct. That explanation is given here ; and the book itself will give it. No person shall ever accuse me of any want in respectful attention to the opinions of others. Still less shall any one ever reproach me with having surrendered my own conscience of duty, to external hopes or external fears.

I think, therefore, that the danger is both to be ventured ; and that it is not great. At all events, perseverance and attention will overcome it. Of

the first quality I have as much as I can have. Disappointments have, in all cases, only increased it. By a mental process, which has uniformly taken place, even pleasure has always been extracted from them. Perhaps, my friend, you may smiling say, that I have then had frequent occasions of being pleased.

With this resource then, I may after all face the warning I have heard given, that he who chooses to be of counsel for his country may chance to have no other client; and that to add to the misfortune, this only client will be one who gives no fee. It may be in the natural course that the thing should happen; and in the natural course too, that it should be put aside by resistance. Rational risk is even often rewarded by fortunate gain.

Men may act ill (very ill) from other motives than selfish. It will be difficult indeed to impute any thing in this book to interested considerations; but (for this reason) the absence of these is no justification of what is otherwise unjustifiable. Perhaps it adds to the injustice; and certainly to the folly. I have, therefore, been at pains to shew that what I now do is in itself an act of virtue; and that it does not lose this quality when viewed relatively to me.

The immediate and strong cause (as I have already alluded to, and have mentioned in its place) of my resuming this work when it had been laid aside after writing a few pages; and without

which I do not know that general impulses of duty would have had sufficient strength to carry me onward ; was the indignation and horror that filled my mind at acts of wickedness (not worse in themselves perhaps, than what went before, but) accompanied with and causing circumstances of suffering, such as had never been known hitherto among men. I have expressed myself, accordingly, on this subject, in language such as my feelings produced ; giving my mind its full scope, nor attempting (which I could not have done) to restrain it. It has been considered in the hour of calmness (as far as the soul in such things can be calm) ; and justice has pronounced the same sentence with indignation. Things have not happened wholly in the line of my forebodings. Yet all is not over still. There has been also a bloody accomplishment. As to the lady who yet lives, and who surpasses in nobleness all that has yet been in human existence or human thought, compassion as to her even in misery unheard is now scarcely felt in more than human admiration !

I have little more to say, my friend. Meaning this as a sort of preface (even in my talking with you) I should here mention some matters which are usually put in such things. Mention is made (in page 122) of a learned judge still living, as being our only Scottish antiquary. He was then alive ; and it is needless indeed to say, that he was the late Lord Hailes.

There

There is one note also to be found in the work ; which I should be sorry were it (as it may be) misunderstood. There has been no oppression used (that I know of) in this country, to suppress the dangerous conspiracy against our nation, in any open, overt, judicial act. What has been done in that way, has been mild and manly. In other respects ; a mind that is sore at the insolence of individual power might observe in some cases and hear of as to more, (and with much and cutting pain in the observation) a spirit which befitting democratic violence and pride, was alien indeed to monarchical freedom and justice. There certainly were such things ; or such things certainly were said to be ; and he who saw or heard of them could not refrain (at the time) from what was the consequent natural expression. I have had a struggle after all, whether I should not take it out ; and it is allowed at last to stand only on account of the struggle.

I owe it also to Mr. Horne Tooke, to say, that the *winged words*, alluded to in the letter formerly inserted, are not the winged words of Purley. Of them (with all that is in that book that should not be in it) there are few greater admirers than I am. The winged words that I mean, were uttered in the revolution society, a day or two after the publication of the *Reflections on the Revolution in France*. And like all the words uttered there, or on any such matters, should never have escaped the *fence of his teeth*.

Nothing

Nothing else (I believe) is to be found in the book that does not explain itself. I remember nothing that does not.

And now (leaving you, my friend) I throw myself upon the world. I confess that, after all, it is not without some fear. It is a new and strange situation to me. I could almost turn back. It is a personal appearance too, that I make, and not by proxy ; for this book is (and such a book must be) just myself.

You were rather before my time ; and I was not certainly (when we first knew each other, in very early days) entitled to say that I had any opinions of my own. Yet it has happened, that future years have only been their developement, and not their change. My manner of expressing them too is not altered ; and I believe cannot be altered. You will find me here just the same person as long ago ; in my feelings and in the expression of my feelings. Indeed both you and I, in the discording harmony of our natures, could still pass through the same enchantments, and be raised to the same ravishing delights, as in those days when Mrs. Siddons (for which our eternal gratitude is her due) sublimed our souls to that reach of felicity, of which the memory might in after life drive away (while itself remained) all possible human pain and sorrow. You will find me (as you have found me) sober too.

I am

I am (and always will be) too little of an author, to have consulted upon what I have said any one but myself. In such a work especially, a man must be his own adviser. No one has ever seen any part of what now appears, unless it was casually and in some transient glance; except in one particular instance. Some part of the beginning (the first 100 pages and more) were seen, at his own request, by a man of high station in Scotland; whom I shall not name; because I have on his part (and without the smallest title to it) experienced at all times much countenance and kindness. My praise can have no merit but its sincerity; and its sincerity (in his relative situation and mine) is to be best found in this sort of silence.

What was seen is equally my own with what has not been seen. Were any sentiments to be found here not mine, it would be a sin without expiation. It is a dreadful thing when a man commits that.

I shall mention one thing more. I never (as you know) was in company with Mr. Burke but once. It was a long time ago; and in a large company; nor, were I now in London, would I be entitled to leave a card at his door. I have thought it necessary to mention this.

EDINBURGH, }
JUNE 21. 1793. }

AN ADDRESS, &c.

GENTLEMEN,

YOUR name is a name of great attraction! At the same time, as I have some dread that your union is of a portentous nature, and that it will in the end be a gathering of all the scattered clouds of democracy in this realm into one black tempest, the thunder of which is to strike on the fabric of our constitution, you will permit me, in this Address, to call upon yourselves, and upon the people, the object of your proffered friendship, to consider well the nature, the means, and the purposes of your association.

I used once to honour myself, and to be honoured by others, with the name of Whig. I know not, Gentlemen, whether now you will dispute my title. From what I see (yet probably I am wrong) you seem to think the appellation not

A

worthy

worthy of being disputed. I would call myself a Friend of the People too, were it not that in this name I see nothing definite, while in the other I have the principles and practices (and both recorded) of memorable men, to measure my own principles and my own practice ; and were it not that history has informed me over and over again, that those who called themselves the Friends of the People (and their race is not likely to be yet extinct) have too frequently been their decided foes.

Yet I do not mean to call you such, Gentlemen : Indeed I am far from thinking that almost any man whose name I have yet seen in the list of your society, is deserving of this criminal appellation. Certainly your leaders do not deserve it. No, Gentlemen : even in this transmigrated state, you can still be recognised ; your *form has not yet lost all its original lustre* : Even while (hovering over the brink of the democratic gulf) your rays are shot only parallel to the earth, you still retain something of your former splendor. Alas ! why do they remind us also of darkness coming on, of your sun being about to set ! *Ruit oceanus nox.* The stars of democracy, you may spangle its midnight sky ; you will no longer illuminate the universe of freedom.

I am far from loving your opponents. By these I do not mean the sheer democratisfs, the

preux

preux chevaliers of the rights of men, because I do not know exactly the point of opposition betwixt them and you (I hope there will be no conjunction) and because my contempt of them is such, that I can institute no comparison between them and any rational men. I mean the present administration. I am indeed far from loving them. But this certainly is not the place, neither is it the season, for declaring past political aversions, or insisting upon past political guilt. In all their actions also the people have followed their heels; and this, perhaps, may excuse them in your eyes, though it is far from doing so in mine. It is impossible that with my principles I should love these men. It is impossible that with my principles I should not make a common cause with them when they defend (be it through ambition or any other evil motive) that constitution, which their ambition has after all been unable to overturn. While that constitution remains, while the fabric of our mixed monarchy stands, neither ministerial violence nor deception can produce more than partial and transitory evils. While this is the case, the people will always have sufficient power (they may sometimes want the feeling which causes the exertion) to throw down all oppression, and all the means and the movers of it: This we have experienced in all the periods of our history. If that constitution be once done away, if we throw

off the sacred armour of our ancestors (blessed and consecrated by them at the altar of freedom) as an incumbrance in the pursuit of the novelties of the day, we shall then indeed be shorn of our strength, and, the spirit having departed from us, become the easy slaves of any minister, though he may neither have the courage (as he will not have the occasion) to employ violence, nor the ability to practise deceit.

Could I bring you, Gentlemen, to this way of thinking, I should reckon that I had done a great good. Your talents are respectable, your influence is much. You are neither the whole, nor the principal part of the old Whig interest. You formed, however, no inconsiderable portion of that noble race, to whom this country owes all its happiness and glory. One or two among you have seen the older times. The rest (I talk of such as are public men) came into the service of the State, practised in the antient discipline. It is painful to think, that you should put yourselves to learn the new evolutions under the drill serjeants of France.

But you say (or it will be said for you) that this is not the case. The reformation you propose has nothing in common with what has been done, or is doing in that country. It is English (you assure us) "English all from top to toe."

A good
writer

writer of prologues (perhaps some of you may remember) has told us, that a vapid French translation was generally thus introduced to our stage. I much fear that yours is of the same sort ; except that it will not be quite so harmless.

However, the consideration of this question is of great importance. It offers a number of reflections, worthy, I believe, of your very serious attention. I shall use the freedom of dwelling upon them at some length.

In the advertisement which you have published in the newspapers, which may be called the articles of your copartnery, or (more properly) the confession of your faith, I see nothing which condemns, in any one respect, any one part of the French Revolution. On such a subject, it is impossible not to have formed some opinion, and if of condemnation, not to express it. There may be very substantial reasons for withholding applause : The opinion which you have formed, must therefore be favourable to the actions and to the actors in that event.

Every person admitted into your Society (you have declared) must qualify by subscription to your *formula* : and in this you certainly act right ; how far consistently is another matter : Accordingly, the man who swallows your *test*, and by these means gets a footing on your *establishment*, must virtually (yet substantially) approve of the pre-

sent French Constitution, and of the mode and the means by which it has been generated and is upheld. This appears to me inevitable.

I know that now it is the cant among fillier men than you (and it is the cant among wicked men also) some deluding and some deluded, that the French Revolution is not to be confounded with the principles and proceedings of the Jacobin club, or of the other component parts of the sovereignty (such as it is) of that miserable nation. But I do not believe that this sort of language will issue from your association: You are too well informed not to know that France is at present defiled with fewer crimes than at any time since the massacre of the bloody and infamous fourteenth of July 1789 *. You are too well informed not to know that the declared code of the French rights authorises the Jacobins (and the rest are just as bad as they) to do all they have yet done, and to do more. You know that it is only from the commenced hostilities having attracted the more particular notice of the people in this island, that the mingled fooleries and barbarities of the French are now more spoken of than formerly. It is from this circumstance only (as you well know) that good natured men believe, and ill designing men give out, that *La Fayette* the King's jailor, and the head constable of the Parisian watch, is
now

* This was written before the the 10th of August; and yet, perhaps, after all, it is hard to say—I am not a good balancer of crimes

now the friend of the French monarchy. Alas! the constitution of French *liberty*, which retained the King, was as hostile to monarchy and to man, as the revolution of French *equality*, which will probably soon put an end to his royalty and his wretchedness together, and which, though more frightful, is perhaps, for that very reason, less alarming to the interests of the human race.

This last sentence (after this projected address had been thrown aside for a considerable time through other avocations) is written, now that La Fayette has found it necessary to escape from his own troops, and is said to be a prisoner. My opinion of him is notwithstanding (it will always be) the same. None but an unprincipled and low mind (taking this man in his best view) could have borne his situation for a day.

Gentlemen, you say that you wish for a moderate and measured reformation. I sincerely believe that most of you do. The clamours of your enemies against you, in this respect, are false and senseless; and they know so themselves. But, Gentlemen, look at France.

I am not going to talk to you any common places. Our conference will be long enough, (and important enough too) to prevent any thing from being in it, that should not be in it.

I mean also to speak to you with calmness, and coolly. Besides the propriety of the thing in itself, it is my only chance to make any impression

on you. But my heart is really oppressed ; it is weighed down. There is something in the dispensations of Providence in this age, beyond all human reach of thought, mysterious and awful.

In my present temper of mind, I cannot speak to you. My eyes are turned ; my whole thoughts are centred on Paris. It was by a sudden impulse, connected with what is now doing there, that I again run to these papers. They might otherwise have been neglected long, long. It struck my mind that I might by their means think aloud upon the most injured and the noblest of women.

Certainly she is so. It is a spectacle such as no history has recorded. Nothing like it was ever brought by the imagination of poets into any dramatic fable. The dignity is unparalleled. The misery is unparalleled. Her afflictions have been heavier than any ever known. Her constancy has been greater than any ever exerted. It has been a mild constancy too ; a constancy as mild and serene as it has been undaunted. In former ages there have been high minded and heroic women. Yet they have, in general, had too near a resemblance to the minds and to the heroism of men. It is not stern philosophy in the Queen of France. It is not imperious and haughty boldness. Her firmness and courage are softened and graced by all the feminine affections and beauties. She is the tender mother, the affectionate wife, the heroic queen, and the lovely woman.

And

And must this lady, "fairer than feigned of old or fabled since," must she, with all her virtues and all her attractions, be given up so early a sacrifice to the cannibals of France! Ah! with what different sentiments did she, in the spring of her life, enter that once gay and happy land, happy even under all the evils (and many real evils there were) of the old subverted government! With what different sensations, after residing some years among a people who adored her, did she see herself become their Queen with still increased adoration! With what happy auspices did this reign begin! It was scarcely possible that France ever again should be engaged in a continental war. Besides the dowry of her beauty and her virtues, this Queen brought to her kingdom the fair portion of perpetual peace with that formidable and hostile power, betwixt which and France an animosity kindled centuries before, and frequently maintained with bitterness and rancour, had drained the best blood of both countries, and deformed the face of all Europe. This violence was now to expire for ever upon the lips of beauty, and this fortunate woman was to compose the tumults of the nations with her smile. Except our mad and wicked attempt against our colonies of America, nothing could have disturbed the universal repose. In France itself the reign began with concessions. Acts of benignity every where marked the steps of the young sovereigns. A QUEEN had not been seen
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in France for a long, a very long period ; and such a Queen, so lovely in her person, so popular in her manners ! The French were satisfied, and happy beyond all former memory. They were acquiring besides, (gradually and in measure) new privileges, and obtaining fresh benefits, every day. Nothing was wanting but to give them that constitutional security by which his subjects might truly say that the benefits of their sovereign were become their property, and to be the birthright of their children. The King for this purpose, called together his States. They have degraded, imprisoned, dethroned him : They now threaten to murder him, his wife, and children, and to massacre all his family and friends, who have not by flight escaped from their fury. In the country of France there are now left neither laws, nor morals, nor manners. As to its inhabitants, " their places " know them no more." It is a nation " scattered " and peeled : " Every thing good, and generous, and honourable, and manly, having left, or having been driven from the soil ; there now only remain, not to dwell in the land, but to desolate it, hordes of wandering savages, whose journies to and from their chief encampment at Paris, are marked with rapine and blood ; while the void which has been left by the flight of all the better sorts of citizens, is filled up by the influx (like the rushing into a common sewer) of all the filth and offscourings of Europe. Such has been the state (the dreadful state)

state) of this ancient and renowned kingdom; of this country to which nature had been so lavish in her bounties, and where art had done as much as if nature had done nothing: Such are the calamities which have afflicted it now for more than three years, ever since the fatal and execrable day, which some Englishmen have not been ashamed to place in the holy calendar of freedom!

Yet, however melancholy, there has been nothing miraculous in these detestable affairs. The mine was laid, the matches were ready, in the season of security and happiness. Before it was sprung, a variety of philosophical fireworks, leading to the train, and emblematical of what was to succeed, were played off in the eyes of the people. From the amiable manners, from the known courage, from the feminine sweetness, joined with the wisdom (which had it not been hers might have been called manly) of the Queen, there was great danger that the people might neither be amused into mischief, nor even afterwards reasoned into it by the politic philosophers of the day. It was necessary therefore, to ruin her influence. Literary hirelings, a plague like some other plagues peculiar to modern times (whose existence counterbalances, perhaps more than counterbalances all the benefits derived from the invention of printing); literary hirelings were immediately set to work to destroy this formidable obstacle to the success of their schemes. The people of France had hitherto

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(that is the mere people) not read much. Like all other people of scanty reading, they were ready to believe (as they believe still) that whatever is printed is true ; unless where it is marked out to them by their teachers as heretical, and then even to touch the book is a sin. It is in this way as to the *State*, and with regard to public matters of every sort, that these poor miserables are now taught by the political doctors to believe, and tremble, and persecute, and murder. With that class of people too, upon whom the literati had to work, these gentlemen knew (it is no great compliment to their knowledge, but they knew) well enough that the *credo quia impossibile* was a circumstance of great power. The more incredible and flagitious the calumny happened to be, the greater notice it would command. It would be talked of the more : and that their detestable fabrications should be talked of, was all they needed, and therefore all they wished for. In the mean time the forge in other respects was not idle. The great bellows never ceased blowing, nor did the anvil ever cease to sound, upon which they hammered out the philosophic panoply of the rights of men. As to the King, he was soothed with the sweetest accents that philosophy could borrow from the music of the spheres. They never approached him but with the most sugared words in their dictionary. His Queen, too, was treated by the *magnates* of science with great respect. The abuse was left to the lower forms ; but
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who have since made themselves ample amends by leaping as (they say) the young frogs do upon the old frogs' backs. All this flattery, the King (and very naturally) took for truth. Unfortunately for himself, for his family, for his kingdom, for this age, and for, perhaps, more than this age, he believed their acknowledgments of his benevolence and worth to be as sincere as his own feelings of them.

It is in this manner that France has been ruined. It is in this way that its king and queen are now a prey to savages; that they are now, merciful God! shut up in a den to gorge the ravenous maws of monsters who eat and drink human flesh and blood! That the most cruel insults and the most studied shame, prolonged by a merciless barbarity hitherto unknown amongst mankind, are likely to close that train of miseries, which for so long a time have, as it were, constituted the existence of these benevolent sovereigns! That after having been made to die in circumstances of ignominy unutterable, amidst the revilings and execrations of shameless women, the mangled limbs of the most beautiful princess the world ever saw, may be scattered and insulted by the lowest trull that follows the knapsack, and is subservient to the desires of the lowest ruffian in this camp of savages! I believe in God; but my blood runs cold.

If this unexampled iniquity shall be added to the other horrors of France, what is to become of
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that nation ! Events are in the hands of the Almighty. That league which, joining humanity to policy, is now in arms under the most accomplished foldier and man that Europe has to boast of ; that combination justified at once by duty to themselves, and by benevolence to others, may have the power to avenge insulted humanity of those crimes which vilify and pollute our nature. It may have the power to prevent the continuation of those crimes. The howlings of democracy, the dismal yells of those troops of cannibals hunting in all directions for their prey, at which existence itself sickens and the heart of man dies away within him ; these, perhaps, may cease to spread their terrors through this spoiled and ravaged land. The earth may not always mourn, nor the heavens above be black. Darkness may not continue to overshadow their bounds. The morning may begin to spread upon the mountains, and the sacred influence of light disperse the lowering gloom which now invests that country. Instead of the tumult and din of their anarchy, the " human voice divine " may yet be heard. The antient spirit may yet revive. The cry of *Bourbon Notre Dame*, and *Montjoie St Denys*, may again resound through France. Yet, after all, how shall the calamities be repaired of this vexed and ruined nation ! How long may it be before " the years are restored, " that the locust hath eaten ; " before that vegetation which was opening in France, under a pure
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air to a mild sun, shall recover from the venom and canker of vain science, and false imperious philosophy; from the starless night and inclement sky, in whose palpable darkness and chilling damps, every principle of life and animation was lost and extinguished! Indeed, it is impossible to say at what period, or by what means, the malignant influence of those who were called to promote the happiness of this kingdom, and who met in "synod unbenevolent," to shower down their curses upon it, may be either wholly or partially done away. It is a labour worthy of the wise and good; if in the ways of Providence the wise and good shall obtain the necessary power.

When I think of these things, when these strange proceedings, these unheard-of enormities, present themselves to my mind, I tremble, Gentlemen, and am afraid. My eye cannot look upon them steadily. My ear cannot hear them without a sort of horror. With the firmest conviction that, as a body, and taking you generally (perhaps it may be the case even with every individual); with this full conviction, that nothing is farther from your minds than to create any confusion in the country, nay, that not only negatively you wish no evil, but positively intend and wish to do a great good; notwithstanding this, what has been done in France (even were what you hold out to us as desirable as it is the contrary) would lead me, and I think should lead you, to oppose the adoption, or to abandon, it if adopted,

adopted, any schemes of any kind, of which either the substance consists in, or the parts in any way depend upon, abstract reasoning and speculative reformation ; I beg your attention, Gentlemen, to what I am now going to say.

Are you certain that there are not any other descriptions of men in this kingdom who go (some of them more, and some of them less, as among each other, but all of them) much greater lengths than you? Were you to answer me pertly (though at the same time it would be silly) you might say : “ So much the better for us, this evinces our moderation.” But the replication would be obvious ; “ That timidity does not always argue less wickedness, and that degrees of guilt will never make “ virtue.” You will therefore, take no sort of credit to yourselves in this way. You will not extol your own honour by setting it in opposition with the ignominy of others. You will not relieve the brightness of your own virtue by the shade of those crimes which others commit, or may wish to commit. You will not hold out as the proof of your own temperance, that others are intemperate and wild. You will not insist that we should conclude you to be peaceable, merely because there are others whose hostility is indiscriminate, ungovernable and rancorous. You will do none of these things. If your honour, if your virtue, if your peaceableness, your moderation, are not manifest of themselves, and by your own principles and acts,

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you would be ashamed (and it would, besides, be idle in you) to demand that we should hold you possessed of these qualities, because others want them still more than you do. Accordingly, upon this we can have no dispute.

That such descriptions of men exist, and not only exist, but act, we all know. Indeed, were there no other reformers than you, gentlemen, it would be a very palpable argument against your cause. It would naturally be inquired, both why you were so few in number, and so late in action. Those grievances (it would be said) must be difficult to find, which have been discovered only by a handful of men. Those evils must be young and recent, which required an association, only of the other day, to point the arm of the public against them. Indeed, there would be little occasion for any association at all, as these embryos of mischiefs, thrown out from the womb only a few days ago, might be trodden under the foot, or crushed betwixt the fingers of the passenger. Even those that did not die a violent death, had the chance of dying a natural one; and not having had time to arrive at the size or strength of propagation, more of them would daily be going out of the world (besides the original fewness) than were coming into it. It would, therefore, be much worse for you, gentlemen, were there not (as there are) other reformers. The existence of that might certainly be

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denied,

denied which so few had seen, and which these few besides had seen only so lately.

It is certain then, that a bolder set of reformers are a-field than you. Their game is a-foot, and they are keen of the sport. "A cry more tuneable," as they think, "was never halloo'd to nor cheer'd with horn." And this being the case, there is room for much and deep reflection on your part, gentlemen. The matter is exceedingly serious.

Though you do not wish to go all the lengths that they do, yet your conduct enables them to accomplish their purposes much more easily. It does worse than this. It renders it almost impossible (that is if you meet with any success) that they should not accomplish them all, or nearly; and, indeed, if nearly it must be all.

That it renders the accomplishment of their purposes more easy, is very plain. These men, "in all the world's new fashions planted," who have "a mint of phrases in their brain," and whom, (according to their own account) "right and wrong have chose as umpires of their mutiny," can, notwithstanding, when occasion requires it, let themselves down to the level of less exalted understandings. They will not seek to be admitted into your Society. At least, if any do, it will only be those who are either honefter, or more awkward than the rest in contriving and executing mischief. But letting you go on softly and easily, and seeming to care nothing about you, they will say thus to the world, and a great part of the world indeed will

will say it to themselves, without any body saying it for them; they will say, Do you not see how well founded our complaints of this foolish Constitution, which English bigotry is so much attached to, have been, when a part of the old English Whigs themselves, giving up all their own prejudices, and those of their fathers, are now seeking to make in it such great and signal changes? The evils must, indeed, be prominent and grievous, which have called forth even them into the ranks of reformation. Not only their prejudices should be against such a measure (considered as in itself), their education, their habits, and all the other powerful circumstances arising out of, or connected with these things; but the great properties which they possess, or to which they are heirs, the rank they hold in the country, their whole consequence and estimation, personal and political; all these too, should not only not make them friendly to such designs, but stout and persevering in opposition to their reasons, means, and ends. It is no light thing that could have led such men as they are to this point. The Constitution must have been rotten to no small degree before the stench reached their nostrils. Citizens, ye can now have no doubt that what we have so long been telling you is true.

Gentlemen, in this way your very virtues are our curses. Your property in the country, instead of being our security, is our danger. With a cruel

enemy before us who has been publishing manifestoes, making hostile declarations, and levying troops against us for years, we can see nothing in you but his (unwilling, perhaps, though sure and certain) auxiliaries. His manifestoes may be too strong, but they are in many respects well founded: His declarations of hostility may be rancorous, but they are in the main just. His levying troops of all sorts (republicans, atheists, fanatics) may be dangerous, but it is only by abandoning part of our Constitution that we can drive the danger from us. But with this the enemy will be extremely well contented. Like all other crafty conquerors, he will wait till you have rendered his conquest more easy. While you are in the act of demolishing what displeases you, he will then (without either asking your leave or ours) come and demolish what displeases him. And should you then give us that defence which you refuse to give us now, it would be but of little avail. Perhaps you may not be able then, even to defend yourselves. At the best it will be a war between reformers, and the only chance the country will then have for salvation is, that you should all perish together. Gentlemen, I wish you a better fate.

I know that every thing has two handles. You say, that because there are bad men seeking reformation, there should be good men seeking it likewise. I never could see any sense in this observation.

vation. Undoubtedly, the more that seek, the more chance there is of finding, and it is certain that the bad have great occasion here both to seek and find. If they would reform themselves, instead of the Constitution, it would be better both for you and for us. But it does not appear to me, that in what you say there is any reason, farther than that the good should not be outdone by the bad in the pursuit of any laudable object; though, at the same time, it must be confessed, that it is no great recommendation of the object, that the bad are eager to obtain it, and set the example of the search. On the contrary, it appears to me, that wild schemes of change being abroad, you ought first to take security against the enemies of *the Constitution in whole*, before you proceed to amend it in parts. When by declarations in Parliament (such of you as are there), when by arguments in writing (such of you as take upon you to instruct the public), when by all sorts of lawful and proper means used, upon all lawful and proper occasions, you, as a body, and as individuals, have discountenanced and driven away the promoters of these designs, and their mischievous opinions, it may then come to be a fair question with you upon the merits of the changes you yourselves propose, and the meliorations you mean to introduce. But till then, and till this wicked faction is rooted out of the country, I say to you, gentlemen, that you are as dan-

gerous to us as they are ; and it will be no consolation to us that in the end you may be oppressed and persecuted by them as much as we may be. It is first of all necessary that we be secure before we begin these operations (my argument here allows them to be wise and beneficial), which give openings to a watchful and determined foe. Supposing your reformatations were to be the beginning of that golden age, about which the sweet fingers of democracy are now always tuning their harps; supposing the perfection of man is at hand, and the millennium to commence immediately after your labours; with all this you must take care (and indeed the more for all this) that your glorious toils be not rendered abortive, or your grand schemes, from instruments of good, be turned into engines of evil. Satan is bound hand and foot before the reign of the saints begins.

Gentlemen, I could reason with you at great length upon this matter. But I have said enough. Besides (to make an honest confession once for all), I am not very fond of mere argument. I know that while I have reason on my side, yet reason is a fruitful mother of reasonings; and that these are always a divided family. More than this, it is the disease of France, and you have heard enough from me to know that I will consider this as no recommendation. Indeed, it has always been the disease there. Voltaire (I remember) intituled one of his chapters, "Candide et Martin

approchent les cotes de France et raisonnent."

Since the time of Martin and Candide, matters have, in this respect, become much worse ; as they have done in others. Long ago it used to be said that it was easier to find monks than reasons. France, which (as its panegyrist tells us) is formed to contradict all former maxims, has most certainly and veritably contradicted this.

But I will give you something better than reasons, better at any time, and especially better in this season of abundance, when the market is so overstocked, and they are consequently of so little value. I will give you an authority which you will not disown ; an authority to which you will submit with the most implicit reverence. I will give you the authority of Mr. Burke.

I am very serious, Gentlemen. It is not indeed of that Mr. Burke who has *unwhig'd* himself (a phrase, I have been told, that, with much the same justice, was used by Mr. Pitt in regard to Mr. Fox on the business of the Regency) by that heretical publication which your inquisition hath so solemnly condemned. It is the Mr. Burke of better times, the associate, or the master of you all. It is the Mr. Burke, that a member of your committee, and a dear friend of mine (whom the phantom of French liberty has to my great grief, and I hope soon to his also, led far far astray) characterises as all that your most ardent prayers could desire in the moments of your greatest enthusiasm. It is " the

"correspondent, of Franklin, the champion of America, the enlightened advocate of humanity and freedom *."

Of these three epithets (this tiara of liberty placed by my friend upon Mr. Burke's head) I shall take the last, as both the best in itself, and the best suited to the present purpose.

The enlightened advocate of humanity and freedom, about 24 years ago (in "Observations on a late State of the Nation") spoke as follows.

He is talking of some plans of reformation proposed by the writer, whose sentiments he was combating. The enlightened advocate of humanity and freedom, says:

"I pass over here all considerations how far such a system will be an improvement of our Constitution, according to any sound theory. Not that I mean to condemn such speculative inquiries concerning this great object of the national attention. They may tend to clear doubtful points, and possibly may lead, as they have often done, to real improvements. What I object to it is their introduction into a discourse relating to the immediate state of our affairs, and recommending plans of practical government. In this view I see nothing in them but what is usual with the author, an attempt to raise discontent in the people of England, to balance those discontents the measures of his friends had already

* *Vindiciæ Gallicæ*, page 337.

“ already raised in America. What other reason
 “ can he have for suggesting that we are not hap-
 “ py enough to enjoy a sufficient number of vo-
 “ ters in England? I believe that most sober
 “ thinkers on this subject, are rather of opinion
 “ that our fault is on the other side, and that it
 “ would be more in the spirit of our Constitution,
 “ and more agreeable to the pattern of our best
 “ laws, by lessening the number, to add to the
 “ weight and independency of our voters. And
 “ truly, considering the immense and dangerous
 “ charge of elections, the prostitute and daring ve-
 “ nality, the corruption of manners, the idleness
 “ and profligacy of the lower sort of voters, no
 “ prudent man would propose to increase such an
 “ evil, if it be, as I fear it is, out of our power to
 “ administer to it any remedy. The author pro-
 “ poses nothing further. If he has any improve-
 “ ments that may balance or may lessen this in-
 “ convenience, he has thought proper to keep
 “ them, as usual, in his own breast. Since he has
 “ been so reserved, I should have wished he had
 “ been as cautious with regard to the project itself:
 “ First, because he observes justly, that his scheme,
 “ however it might improve the platform, can add
 “ nothing to the authority of the legislature; much
 “ I fear it will have a contrary operation: for, au-
 “ thority depending on opinion, at least as much
 “ as on duty, an idea circulated among the people
 “ that our Constitution is not so perfect as it ought

" to be, before you are sure of mending it, is a
 " certain method of lessening it in the public opi-
 " nion. Of this irreverent opinion of Parliament,
 " the author himself complains in one part of his
 " book ; and he endeavours to increase it in the
 " other.

" Has he well considered what an immense
 " operation any change in our Constitution is ?
 " How many discussions, parties, and passions, it
 " will necessarily excite ; and when you open it to
 " inquiry in one part, where the inquiry will
 " stop ? Experience shews us that no time can be
 " fit for such changes, but a time of general con-
 " fusion, when good men finding every thing al-
 " ready broke up, think it right to take advantage
 " of the opportunity of such derangement, in fa-
 " vour of an useful alteration. Perhaps a time of
 " the greatest security and tranquillity, both at
 " home and abroad, may likewise be fit ; but
 " will the author affirm this to be just such a time ?
 " Transferring an idea of military to civil pru-
 " dence, he ought to know how dangerous it is
 " to make an alteration of your disposition in the
 " face of an enemy."

There can be nothing more directly than this
 in the very face of your enterprises, gentlemen.
 It would be nothing at all to have met such pas-
 sages in the book on the Revolution in France.
 It is not read in your churches. But the book
 from which the passages I have given you are
 taken,

taken, is canonical beyond question. It is really (taken altogether) an unlucky business this. And to express himself so very strongly too. It is nothing at all (indeed it was to be expected) that in the book on the Revolution he should not talk warmly in favour of the cause of reform; and, accordingly, gentlemen, were you to read that book, you would, unquestionably, be very much surprised at the following among other passages scattered through it. Mr. Burke says there, that "a State without the means of some change, is without the means of its conservation. Without such means it might even risk the loss of that part of the Constitution which it wished the most religiously to preserve." Again he says: "A disposition to preserve, and an ability to improve, taken together, would be my standard of a Statesman." And in another place he still says: "I would not exclude alteration neither, but even, when I changed it should be to preserve. I should be led to my remedy by a great grievance. In what I did I should follow the example of our ancestors. I would make the reparation as nearly as possible in the style of the building." This is not recommending nor enforcing (to be sure) the immediate necessity of reformation, nor indeed talking of it in any warm or pressing manner. But in such a work (as has been said) this was nothing, and no other could be expected. Yet he admits enough to justify doing a good deal

the reforming way, much more than at the period when he was the enlightened advocate of humanity and freedom. His counsels in that character are wholly adverse to your views and operations. I see no way, gentlemen, for you to do but to give him up at both periods, unless you be of the mind that his modern concessions make amends for his antient opposition.

But I am afraid this will scarcely be the case. In the book on the Revolution he does, no doubt, talk more favourably of reform, than in the publication of his early days, from which the passages you have read are quoted. This cannot be denied, however strange it may be. Yet upon a close examination they will be found (like all the other writings and all the other conduct of this gentleman) to be consistent and the same. There is no other way for you than to give him up at both periods.

The real lover of his country will give him up at neither. He will treasure up the doctrines of both periods in his mind; he will practise their lessons, and he will teach them to his children. By doctrines like these we have obtained all our blessings; by doctrines like these we might have avoided all our evils. Neither cherishing error from stubbornness, nor courting novelty from levity, we should suffer neither from inveterate abuse, nor from unprincipled change. The repairers of our Constitution (when repair was needed) would
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work by line and plummet, and not according to the childish vagaries of infantine policy. We should not have tiny houses made of cards to amuse the overgrown babies of philosophy, held together by no cement, and scarcely even a pretty shew. We should not through a criminal indifference (which I have too often heard nicknamed moderation) allow its principles to be violated by wicked men, and its maxims and practices neglected and perverted. Love to the Constitution would make us watch over it as a lover would watch over the welfare of his mistress. Love to the Constitution would prevent us from scrutinising too narrowly its defects, as true love finds charms in those little imperfections that always enhance and sometimes create the very first beauties. Not living only for ourselves, we should not have the base selfishness to postpone the interests and the melioration of the State to our own ease and advantage; nor that other selfishness, mean, yet proud, and more criminal by far, and more dangerous, which prefers our own fantasies, our own power, our own fame, our resentments, the gratification of our ambition, and the lust of distinction, to the settled tenor, to the regulated order, to the permanent harmony of the community. Schemes of reform, I am afraid (when they are not the offspring of sheer dullness, which very frequently happens), are for the most part only one of the rounds in the ladder, both of low and high ambition. When they
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are not so, they always announce themselves by a firm moderation, by a fearfulness to take away, which might be called cowardice, did not courage appear blended with reverence; but above all, by giving no inlet to the declared enemies of the Constitution, and by working only in that season when their stratagems can be fully seen, and when you have the certain means of overthrowing them. He makes a common cause with the adversary who acts otherwise.

It is thus, gentlemen, that whether we consult reason or authority, the conclusion which arises is the same; that your association, with its declared purposes (so far as they are declared), facilitates, at least, and indeed almost accomplishes, the designs of those who are the common enemies of us all; while your rank, your property, and your fair reputations, instead of adding to our security, increase our danger.

It is possible, indeed, to get the better in part of this otherwise inevitable conclusion, by supposing you influenced, not by considerations of honour, but leagued for purposes as wicked as the other revolutionists of the day. In this case there would be less danger; much less. There is virtue and courage enough in the country, if once any open formidable attack is made, to overthrow its authors, and crush its principles for ever; with some loss (it may be true), and some confusion, but a loss soon and easily repaired, and a confusion which
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will quickly give place to order. Against evil designs we will be on our guard. But to you we can ascribe no bad intentions whatever. And there again (it cannot be too often repeated), it is there that our danger lies.

Thus without at all examining the principles upon which your association proceeds, without considering whether your plans are well laid in policy, and sufficiently safe in the execution; allowing even that in these respects no objection could possibly be made to your proceedings, yet on this preliminary ground alone, it is clearly made out that for the present you ought to abandon your association.

There is another preliminary matter also. I question much, gentlemen (or rather I do not question at all), whether you are permitted by the laws of the land, and by (what is much stronger) the essential principles of the Constitution, to enter into any such associated body.

I had laid down my pen, to write no more. I have resumed it, though with a heavy heart, and after some interval. The news from Paris. It was all in my mind, and even more. But Oh! God, what is imagination to reality!

I write

I write on, just now, without knowing whether I shall ever publish this or no. Perhaps it may lie by me neglected, like many other things on this miserable Revolution. I am not in a capacity at present to judge what should be done with what I am writing. But I shall write on. I can only drive away thought by thinking.

As to the law, there is little question that in strictness of construction, your association, gentlemen, might be held as seditious, and perhaps as treasonable. At the same time there is no doubt whatever, that nothing of this kind will ever be charged upon you. There were associations of a similar nature all over the country not many years ago. The arm of the law was never lifted up against them. The sound sense, and that enlightened policy which enters so closely into the very nature of our Constitution, as to be the necessary rule even of the worst cabinets, has always prevented, and always will prevent, the letter of the law, or even its spirit (considering law, if the expression do not appear strange, merely in a legal view), from at any time being introduced under circumstances, or for purposes, in which its employment, if not questionable, might be dangerous, though secure might be doubtful, and though neither dangerous nor doubtful, might be wholly inefficacious. When Lord Thurlow (he was then Attorney General) said in the House of Commons (not as a measure he would advise, but as what he might
might

might do) that he could take away the charter of every colony in America by a *scire facias*, he said what was infinitely beneath his understanding; what (no it could not then irritate, things were gone too far for that, it could only excite laughter); but what said even more early would have been equally inefficacious to strike terror, as it would have been certain to produce lasting alienation*. That, however, was produced by other means. When in the same manner another lawyer stated that America was represented in Parliament, because the colonies were part and pertinent of the manor of East-Greenwich, and accordingly had the two members for Kent as their knights of the shire; nobody could think that there was any great wisdom in the observation. Yet this theory of representation was not more silly and absurd, than it was foolish and criminal to speak about drawing up an indictment

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* I am sorry Lord Thurlow is out of power, chiefly because I have happened to make this observation. I am sure it is not dictated by his being no longer in a place of authority; and as little does it proceed from any ignorance of his strong masculine talents. His being out of power, however, has assuredly made a great change. * * * *

* * * * I had here put a most striking example of this. I have taken it out after it was printed. It alluded to a character otherwise of much excellence; but who had here (if it indeed be he) sinned in my mind much. Had I permitted the passage to stand, I would have sinned also.

ment against a whole people. Mere lawyers (I am very far from placing Lord Thurlow altogether in this description) are not men to govern an empire; and much excellence as there is in the profession in this country (perhaps more excellence than in any profession, or than in all the other professions, in it) yet it does not always furnish a Somers and a Camden. Indeed, the growth of learned and constitutional lawyers in England seems much on the decline. What may be the reasons I cannot tell; but the thing is evident. In Scotland I think I see the beginnings (through an abuse of or rather from the necessary consequences of the modern rights of men) by which the most learned body, except the Church of England, that has been in Europe for these many centuries (the Faculty of Advocates), are likely to become, at least in a great measure, a sufficiently unlearned body also. The day when that happens, will be a day of very great loss to Scotland. Yet it is certainly still a distant day, and may be easily made more so. As far, unquestionably, as depends upon me, I shall do my duty in this respect, as I have done heretofore; with little power indeed, but with great perseverance.

I am wandering however, and (perhaps for more reasons than those of mere criticism) my wandering will not be easily excused. The law assuredly will not take hold of you. Yet, that, Gentlemen, may be no good reason for doing any thing against the law. It is only great and urgent necessity

necessity that can excuse it. I do not think you have that to plead.

You see that I do not talk to you in that silly cant which you and your friends (I beg pardon for the expression I have used, but I cannot help it) employ against that noble and generous combination entered into for the preservation of France, or at least of humanity in Europe. You say (and indeed Dr. Parr has declaimed with fury upon it, and, I believe, also my friend) that this crusade (so you qualify it) is monstrous and wicked, and destroys the independence of nations. Gentlemen, I am as great a friend to the personal independence of States and kingdoms, as I am to the personal liberty of private individuals, the only liberty that I ever thought much worth the contending for; that other liberty (which is the mistress of the moderns) being always, in my estimation, a means to secure the first, and not in itself an end, as the wise in our days have made it; discarding at the same time all concern for any thing else, as wholly below the dignity of their thinking. With these sentiments, it is not likely that I should approve of any thing which attacks or endangers the independence of nations. But I must at the same time say, that I should think of myself most meanly, if, at a period when the rights of man's nature itself, when the existence of all morality, of all religion, of all civil polity, of all human sentiment and feeling, was in danger of total subversion;

sion ; if, at a time when doctrines of rebellion, atheism, and murder were openly propagated, and when the practices themselves were as universal as the doctrines, when it was taught to be cowardly and criminal to deny that ends justified means, and when guilty ends were accomplished by means still more barbarous and guilty, when throwing off even the common nature of men, a whole nation had turned their country into the hell of Europe, had lighted up in it every where their infernal fires, and, dancing in horrid circles around these furnaces, cast in their victims to be devoured by the flames, amidst shrieks and yells, and still more dreadful songs of diabolic exultation, feasting on the agonies of the tormented, and applauding with wild joy the skill of the tormentors, while swarms of the same impure spirits, ever on the wing, and darkening the air, were continually passing to and fro, the messengers, in all directions, of evil and woe, and sad calamity, wandering over the whole earth to seduce its inhabitants, stirring up the people of all kindoms to pollute themselves with the same crimes, and share with them in the same abominations, to be faithless to their sovereigns, and rebellious to their God, to cast off all natural affection for parents, for children, for wives, for friends and relations of all sorts and descriptions, to make them even pass through their fires (if that was necessary) to the Moloch of their liberty, while the cries of nature should be overpowered

powered and sunk in the noise of their frantic civic hymns, and the clash and din of their new armour of murder ; in such terrible circumstances of this unhappy land ; in such imminent danger of its flames reaching and blasting every other part of Europe, of the whole mass of its civilization being covered for ages by the burning torrent issuing from this volcano, whose foundations were deep as hell ; in such a terrible, in so unheard of a situation, when the fate of mankind, (yes, there is no question of it, when) the very existence of the race of man, his feelings, his reason, his name, depended upon prompt, decided, wise, firm, bold, strong, and united measures ; when this was the case, that man would deserve to be thought meanly of indeed (however resolute to defend the independence of kingdoms), who hearing the sound of this mighty tempest, knowing what it had overthrown, what it was likely to tear up in its fury, and to swallow in its overspreading sweep, could have, in a season so awful, either listened to others when talking, or have talked himself, about the difficulties of public law, and how far it could derogate from or warrant a combination to preserve all law, all society, all the human race itself, the destruction of which was attempted by an activity almost equal to the wickedness by which that activity was produced. It is truly strange that in an age which thinks nothing of dissolving communities at will, to produce some given good, or some given evil, there should be men (and these

men approving too, in part or in whole, these very doctrines) who stop short like a restive horse, as soon as the corner of their eye discerns some quiddity of public law. Mr. Burke, who is no friend to anarchy, has told us again and again in his book on the Revolution, that anarchy may be justified by necessity. Yet the necessity of which Mr. Burke talks, can only be a necessity resulting from oppression. The necessity of which I have been speaking, is infinitely stronger than any proceeding from the duty to resist tyrants, or to do away great abuses. It is the necessity of preserving society and man. And these men call us to the chair of the professor of public law when the fire is at our dwellings.

At the same time justice ought to be done to virtuous deeds, when abused by wicked or mistaken men. It is certain that posterity will admire the moderation of the sovereigns who have formed this union. To me it is really wonderful. Their declarations are so guarded, and so put upon common acknowledged maxims of State, that as precedents of public law they give an additional security for the independence of kingdoms.

It has really given me great pain that Dr. Parr should have expressed himself about this matter as he has done, so wildly and so ignorantly. I am not a little afflicted that his sentiments, in general, with regard to France should be what they are. They certainly are not what they should be. Perhaps

haps the late events may have made the Doctor change his mind. But this will be no excuse. All the evils done, or that can be done, existed in the principles. Besides, though the murders in Paris are more known, and the bloody banner of democracy is now chiefly waving there, yet the murders have been nearly as savage and as numerous in the other parts of that miserable nation, now for three accursed years. The beverage of human blood has been long known. The conquerors of the Bastille were the first, and as ravenous cannibals as any that have succeeded them. The Doctor, therefore, is equally inexcusable on a view of facts as upon a consideration of principles.

I am sorry too that this reverend gentleman should have found himself obliged to differ so widely from Mr. Burke. A man comes under a most sacred obligation by giving public praise to another man. I am not sure but it is a tie more binding than even gratitude for benefits conferred. To be obliged publicly to blame a man, whose panegyric you have publicly pronounced, must necessarily throw that man (unless there be circumstances of very powerful counteraction) into great disgrace in the public opinion. The accusations of an enemy are weighed. Even those of a person judged indifferent are not admitted without some proof. But when your panegyrist becomes your accuser, belief itself is forestalled. How deeply then ought we to consider before inflicting upon

one of whom we once thought well, so cruel and so irreparable an injury ! It can be warranted by nothing but conviction the most deliberate, and duty the most imperious. And even then, in the breast most steeled with rigid virtue, the conflict will be great. To him whose fortitude is less Spartan, and whose heart is accessible here and there to human weakness, it will be a most uneasy and distressful situation. It is a hard thing a combat of duties.

I repeat it, that it has given me much pain that Dr. Parr has been placed in these straits. If after all it has done no harm to Mr. Burke, it must do much discredit to Dr. Parr. Certainly not to his heart. At least it will never have that effect with me. But to his judgment assuredly, which it no doubt argues of much inconsequence and levity.

Not that I am at all of the opinion of some Cambridge man, the friend of the brother of Alderman Curtis, that the Doctor is no logician. He who is a friend to the brother of Alderman Curtis in that matter, is neither a judge of logic, nor of what is much better than logic. But I think Dr. Parr has clearly shewn of himself, (and especially in the pamphlet of which I have been speaking) that his learning is not most conspicuous in historical detail, nor his judgment in metaphysical intelllection.

It is evident besides, that the reverend gentleman's mind is by no means steady in his opinions,
either

either of persons or things; and he expresses himself too strongly of both, especially too strongly when it is considered that it is variably. Permanency takes off, and even entirely destroys vehemence. Fluctuation of mind renders vehemence more violent. I mean in both instances to the sensations of others, without speaking of what they are in themselves. If the Doctor should go on in this manner, neither his praise nor his blame will be "set" by any body "at a pin's fee."

It is because I highly esteem Dr. Parr that I speak thus freely of him what I think. Were he among the *Secundi* and *Nattæ* of the times, who grope through Mr. Burke's works to find out appearances of contradictions, and who, after all their rumaging, have produced none but such as shew not their ill faith so much as their folly; he might sleep in a whole skin for me. His repose should never be disturbed. I would not even address him, as on the part of Mr. Burke :----*Verba mea arguntur ; adeo factorum innocens sum.* The reverend gentleman differs from Mr. Burke, but he does not accuse him (at least directly, and I shall seek for no constructions) of any apostacy. To be sure to be consistent he ought to do it. But this is no business of mine. What I regret in Dr. Parr are his general sentiments on French affairs, and that these sentiments have forced him to declare so total a separation from his antient teacher and guide; a circumstance which (as I have said) must considerably

derably affect the reputation, either of the Doctor or of Mr. Burke.

But there are more matters that I regret than this. The Doctor speaking of the French has said: *Bella viri pacemque gerant queis bella gerenda*. I wish he had applied the quotation otherwise than he has done. Connecting it with the line which immediately goes before, it might have reminded him of his more peculiar duty. *Cura tibi, divum effigies et templa tueri*. Indeed I cannot see what concern this reverend gentleman (or any other man of his cloth) has with the affairs of France, unless it be to implore the Creator of man to interpose for the preservation of the works of his own hand, and more especially still for the preservation of that religion revealed by himself to his creatures, and sealed by the blood of their Redeemer. If from ignorance they do not know the dangers with which this religion is threatened in all its forms, at least let them pray for peace, but for that peace only which is the companion of righteousness, which establishes justice and secures it. If they pray in this spirit and for this purpose, they will pray differently indeed from Dr. Parr.

His prayer is shocking: I must say it; it is shocking. The purity of his heart and the simplicity of his manners, render his guilty maledictions more dreadful. A man peculiarly consecrated to the service of the Almighty, has not been afraid to rush into his presence, and solemnly to call for
his

his blessings and his curses upon the public measures of nations with regard to which he at the same time openly professes his ignorance! From some vague scattered notions in his own mind (he confesses himself they are no more) that some sort of liberty has been obtained or may be obtained in France, he dares, while kneeling before the throne of God, vehemently to invoke the support of Heaven for the designs of its leaders, and that the divine wrath may be poured out upon all who oppose them. He carries his frantic and ignorant passions into the sight of the Eternal, and impiously asks that they may be made the rule and measure of God's justice. I do not speak of this too severely. It is impossible to speak of it with severity enough. I am sure there will be a time (perhaps that time is already come) when this excellent person himself will condemn it with more severity than my language, or any language can employ. He will lament it bitterly. In the silence of contrition, pardon will be sought for this heavy iniquity, when in a frame and disposition, according with his pure and benevolent mind, he makes the humble and repentant confession to the offended majesty of his Creator, *that he has spoken unadvisedly with his lips.*

Again I must declare my deep regret at being obliged thus to speak of a man whom I sincerely honour. I once even indulged the hopes that I might become known to him and enjoy his friendship.

ship. If the manner in which I have expressed myself of him, shall be the means of preventing this, it will be considered by me as a very great loss. But I neither can nor will express myself otherwise. Indeed, not to speak of France, and much as I admire the preface to Bellendenus, I wish the Doctor, with his great warmth, and the little pains he takes of information, would abstain from politics altogether. Perhaps even wholly from controversy. There are many things, very many indeed, which the Doctor might regret having been said in the republication of tracts by Warburton and a Warburtonian. Yet in all his writings, a learning and a mind is displayed which establish his claim both to admiration and esteem; only let his talents be employed upon their proper objects. I have no more knowledge of Greek than what belongs to a well educated gentleman. I am not, therefore, entitled to quote it so profusely as Dr. Parr. It is his more immediate business. But he will allow me to apply to him (he will profit by it as he himself thinks fit) what a great critic, whom I was taught early to admire, has said of Plato. The critic is speaking of the style, but I mean at present only the Doctors matter, and chiefly what he says about France.

Ἐγὼ τὴν μὲν διύκτισην τῷ ἀνδρὶ πάντῳ ἄγαμαί τι καὶ θαύμασα. τῆς δ' αὖτις-
καλίας αὐτὸν ἐδιπλώσατο ἱστορίαν τῆς ἐν τῇ ἐπιθίτῳ κατασκευῇ, καὶ πάντων
ἤιστα ἐν αἷς ἀντὶς πολιτικῆς ὑποθέσεως συγκαθίς, ἱκανώμα καὶ ψόγος, κατηγορίας τι
καὶ ἀπολογίας ἐπιχειρῶ γράφειν. ἕτις γὰρ τις αὐτὸ γίνεται τότε καὶ κατασκευῇ
τὴν φιλόσοφον ἀξίωσι.

It is strange to think whence Dr. Parr has taken his information about French affairs. He tells

us himself that it is derived from Mr. Paine, whose detail of the transactions in France he applauds as masterly, though he dissents, and greatly, from some of his reasonings. I must tell the Doctor very plainly (as I must all the rest of the world who do not know it already), that this man's historical account is wholly false, either by what he mentions being in itself untrue, or by the suppression of what is necessary to make the truth complete. This can be made out from the very sources (the democratic publications of the day) to which Paine refers, and whence he draws his scanty and confused information.

With such an instructor, it is no wonder that the Doctor talks so fillily about this matter as he does. Any person, the most distantly conversant in the affairs of France, can scarcely avoid smiling at the manner in which he speaks. It is worse than infantine. One altogether loses sight (for a moment that is to say----the thing could not last) of the atrocity of the scenes to which he alludes, when we hear him talking of those wise and mighty men whose abilities and courage (according to the Doctor) saved France at, and after the flight and capture of its unhappy sovereigns. There is nothing in the Dunciad (the best mock-heroic poem that ever was, or probably ever will be written) that can equal the paragraph in which the Doctor celebrates these heroes. It would be cruel to ask him what is become of them and their constitution.

constitution. They were worthy of each other. At the same time, some of them do not seem to think so; for they are now employed as day-labourers in the construction of another.

I believe the present time is just as good as any other for saying a little about the affairs of France. Upon this subject I have collected a great many materials, with different views at different times; not of the subject itself (upon that no man's opinions could vary) but as to the employment of the materials. It is probable they may now lie by me for many years. I could not, were I to begin now, make such a collection of facts. If they ever shall be published, they will be accompanied with their vouchers and documents. In the mean time, as to what I am now to notice of the original beginnings of the troubles in France, and some of the chief subsequent transactions, I must request the public to take them upon my word. At the same time, if any one person shall publicly question the authenticity of any thing I state (in the way of fact; I shall never answer arguments), I most certainly shall, in that case, take the trouble of publicly proving that authenticity.

In the mean time, before proceeding to this detail, I shall begin with some singular enough documents, regarding the situation of France several years antecedent to the Revolution.

I am

I am not going out of my way in entering upon this matter. It belongs much to the subject of this address, gentlemen. It is now openly given out by many persons, that what is now doing in France differs totally and essentially from what was accomplished in the first periods of the Revolution. The purpose of giving this out is very plain. At all events, it would be no justification of the original French measures. But the truth is, that the measures, the men, the purposes, and the means, have been all along the same. This is an awful consideration to you reformers.

Dr. Parr, with a foolish simplicity, has said, that the calling together the third estate (I suppose he means the three estates) was a demonstration that France was in a situation the most desperate, that her evils were intolerable, and almost incurable. His own words are : " That the maladies of France
 " had reached almost the last stages of malignity,
 " and threatened a speedy dissolution of all government, it were folly to controvert. The
 " very act of calling the third estate, is a proof
 " that the paltry tricks of political cunning, and
 " the ordinary resources of political wisdom, were
 " quite exhausted." And afterwards : " In France,
 " the heavy pressure of the regal power clogged
 " the first efforts of reformation." Dr. Parr shall be refuted by Dr. Price.

In

In the *second* tract on *civil liberty, and the war with America*, Dr. Price says, " A new reign produced a new minister of finance in *France*, whose name will be respected by posterity for a set of measures, as new to the *political* world, as any late discoveries in the system of nature have been to the *philosophical* world: Doubtful in their operation, as all untried measures must be, but distinguished by their tendency to lay a solid foundation for *endless peace*, industry, and a general enjoyment of the gifts of nature, arts and commerce. The *edicts* issued during his administration, exhibit indeed a *phenomenon* of the most extraordinary kind. *An absolute king, rendering a voluntary account to his subjects, and exciting his people to think; a right which it has been the business of all absolute princes, and their ministers, to extinguish*. In these edicts, the king declared, in the most distinct terms against a bankruptcy, &c.; while the minister applied himself to increase every public resource, by principles more liberal than *France, or any part of Europe, ever had in serious contemplation*. It is much to be regretted, that the opposition he met with, and the intrigues of a court, should have deprived the *world* of those lights which must have resulted from the example of such an administration."

Dr. Price, however, consoles himself for the dismissal of Turgot (the person of whom he was speaking), by the nomination of his successor.

" After

“ After a short interval,” says he, “ a nomination, in some respects still more extraordinary, took place in the court of *France*: A court, which a few years since was distinguished by its bigotry and intolerance, has raised a *protestant*, the subject of a small, but virtuous republic, to a decisive lead in the regulation of its finances. It is to be presumed, that so singular a preference will produce an equally singular exertion of integrity and talents.”

Doctor Price, in the year 1785, published another pamphlet, “ Observations on the importance of the American Revolution;” in which, after quoting the two passages above transcribed, he again mentions Mr. Necker with approbation, and as understanding him to have fulfilled the expectations he had raised. To this pamphlet there is subjoined a letter from Mr. Turgot to Dr. Price, of date 22d March 1778, and of which the beginning contains sentiments, important indeed to the point now at issue. I shall transcribe the first page.

“ Mr. Franklin m' a remis, Monsieur, de votre part, la nouvelle edition de vos observations sur la liberté civile, &c. Je vous dois un double remerciement; 1^o, de votre ouvrage dont je connois depuis longtems le prix, et que j'avois lu avec avidité, malgré les occupations multipliées dont j'étois affailli, lorsqu'il a paru pour la première fois; 2^o, de l'honnêteté que vous avez

D

“ eue

" eue de retrancher l'imputation de *maladresse* que
 " vous aviez mêlée au bien que vous disiez d'ail-
 " leurs de moi dans vos observations additionnelles.
 " J'aurois pu la meriter, si vous n'aviez eu en vue
 " d'autre *maladresse* que celle de n'avoir pas sçu
 " démêler les ressorts d'intrigues que faisoient
 " jouer contre moi des gens beaucoup plus *adroits*
 " en ce genre que je ne le suis, que je ne le ferai
 " jamais, et que je ne veux l'être. Mais il m'a
 " paru que vous m'imputiez la *maladresse d'avoir*
 " *choqué grossièrement l'opinion générale de ma na-*
 " *tion; et à cet égard, je crois, que vous n'aviez*
 " *rendu justice, ni à moi ni à ma nation, où il y a*
 " *beaucoup plus de lumières qu'on ne le croit générale-*
 " *ment chez vous, et où peut-être il est plus aisé que*
 " *chez vous même de ramener le public à des idées*
 " *raisonnables.*"

The opinion declared here, by one who had
 such opportunities of knowledge, is a striking cir-
 cumstance indeed, as to the situation of France
 before the commencement of this revolution. Dr.
 Price had thought that Turgot proceeded too far
 in his reforms, for the spirit and understandings of
 his countrymen. The financial philosopher as-
 sures him, that this is far from being the case;
 that they were completely up to all that had been
 done for them (much as that was), and had ca-
 pacity sufficient for receiving more. If their king
 (that king whom Turgot always, and so empha-
 tically characterised, *un roi qui est véritablement*

un homme bonnête, et voulant le bien, and whom he declared it to be a pleasure to serve, both while, and after he was a minister, if that king) thought it his duty and his interest to give his people their rights, they were also fully apprised, that it was no more than their rights that they received. France had sufficient (perhaps more than sufficient) knowledge; and she was obtaining practical advantages, in matters of freedom and government, every day.

She had more knowledge, at least, than we in this island. Most certainly Turgot was of this opinion. Those who choose to read his letter, will find, that he thinks very meanly of the political knowledge possessed by the English. He considers Dr. Price as almost the only writer who ever, in England, had any just notion of liberty. In particular, he thinks very meanly of the political science of Mr. Burke, and of that treatise (the letter to the sheriffs of Bristol) on account of which my friend Mr. Mackintosh has styled that gentleman *the enlightened advocate of humanity and freedom*. Mr. Turgot could see nothing enlightened in it, and nothing which was of any sort of service to humanity or freedom at all. His expressions are remarkable enough: "Est-ce l'esprit
" de parti, et l'envie de se faire un appui *des opi-*
" *nions populaires*, qui a retardé vos progrès, en
" portant vos politiques à traiter, *de vaine meta-*
" *physique*, toutes les spéculations qui tendent à
D 2 " établir

“ établir des principes fixes sur les droits et les vrais
 “ intérêts des individus et des nations?” Mr.
 Burke is not mentioned here ; but he is as clearly
 designed as if spoken of by name : And if any
 thing be wanting, it is made up by Dr. Price,
 whose word will go with the democratists much
 farther than that of Turgot. In the translation
 of this letter given by Dr. Price, there is at the
 above passage a note, “ See Mr. Burke’s letter to
 “ the Sheriffs of Bristol.” It is worth while to
 quote the passage of Mr. Burke particularly al-
 luded to, in order to shew the comparative ac-
 quirements in the science of politics, at that time
 made by the people of France and England.
 Nor can it be said that any injustice is done to the
 English side, by taking Mr. Burke as the standard
 of their opinions ; for we are now assured by the
 democratists, one and all (and indeed he was so
 advertised very lately in the newspapers, by a
 whole society of them, for almost a whole half
 year, along with a singular cure performed by
 Spillsbury’s drops*, upon the coachman of Mr.
 James (or John) Joshua Jones), that this states-
 man was at that time, though now guilty of most
 woful desertion, the veriest fire-hot patriot in the
 kingdom (I mean patriot in *their* sense of the
 word), and most staunch assertor of their rights of
 men. Besides, Mr. Turgot mentions these doc-
 trines

* Upon recollection, I am not sure but it was Leake’s
-pillula salutaris, or some such thing.

trines of Mr. Burke as being founded on the popular opinion. Mr. Burke says :

“ I am charged with being an American. If
 “ warm affection towards those over whom I
 “ claim any share of authority be a crime, I am
 “ guilty of this charge. But I do assure you
 “ (and they who know me publicly and privately
 “ will bear witness to me), that if ever one man
 “ lived, more zealous than another for the su-
 “ premacy of parliament, and the rights of this
 “ imperial crown, it was myself. Many others,
 “ indeed, might be more knowing in the extent
 “ or the foundation of these rights. I do not
 “ pretend to be an antiquary, a lawyer, or qua-
 “ lified for the chair of professor in metaphysics.
 “ I never ventured to put your solid interests up-
 “ on speculative grounds. My having con-
 “ stantly declined to do so, has been attribut-
 “ ed to my incapacity for such disquisitions;
 “ and I am inclined to believe it is partly
 “ the cause. I never shall be ashamed to con-
 “ fess, that where I am ignorant, I am dif-
 “ fident. I am, indeed, not very solicitous to
 “ clear myself of this imputed incapacity; be-
 “ cause men, even less conversant than I am in
 “ this kind of subtleties, and placed in stations to
 “ which I ought not to aspire, have, by the mere
 “ force of civil discretion, often conducted the
 “ affairs of great nations with distinguished feli-
 “ city and glory.”

He then proceeds to state the undoubted right which Great Britain had to bind America in all cases whatsoever; a legislative right arising, not from any theory, but from long undisturbed possession, and of which the exercise (moderate and measured) had greatly benefited all the portions of the empire. Mr. Burke held this *possession* for a *title*, and "wished to keep the whole body of this authority perfect and entire, not for our advantage solely, but principally for the sake of those on whose account all just authority exists, the people to be governed." Of consequence, the general opinion of those to be governed, the vehicle and organ of legislative omnipotence, was to be greatly regarded, and consulted in its exercise; while "many things, indubitably included in the abstract idea of legislative power," neither can nor ought to be exercised contrary to the opinions and feelings of the people. Of this, among many other instances, he gives the example of religion, which, as established in this country, has been three or four times altered by act of Parliament. Even in this case, therefore, a statute binds. Yet, notwithstanding the right, it would now be practically impossible for both King and Parliament to alter the established religion of the country. After these, and similar observations, he goes on thus:

"These were the considerations which led me early to think, that in the comprehensive dominion which the Divine Providence had put
" into

" into our hands, instead of troubling our un-
 " derstandings with speculations concerning the
 " unity of empire, and the identity or distinction
 " of legislative powers, and inflaming our passions
 " with the heat and pride of controversy, it was
 " our duty, in all soberness, to conform our go-
 " vernment to the character and circumstances
 " of the several people who composed this mighty
 " and strangely diversified mass. I never was
 " wild enough to conceive, that one method
 " would serve for the whole ; that the natives of
 " *Hindostan*, and those of *Virginia*, could be or-
 " dered in the same manner ; or that the *Cutcherry*
 " court, and the grand jury of *Salem*, could be
 " regulated on a similar plan. I was persuaded
 " that government was a practical thing, made
 " for the happiness of mankind, and not to fur-
 " nish out a spectacle of uniformity, to gratify the
 " schemes of visionary politicians. Our business
 " was to rule, not to wrangle ; and it would have
 " been a poor compensation, that we had tri-
 " umphed in a dispute, whilst we lost an em-
 " pire.

" If there be one fact in the world perfectly
 " clear, it is this, *That the disposition of the people*
 " *of America is wholly averse to any other than a*
 " *free government* ; and this is indication enough
 " to any honest Statesman, how he ought to
 " adapt whatever power he finds in his hands to
 " their case. If any ask me what a free govern-
 " ment is, I answer, that, for any practical purpose,

" it is what the people think so, and that they
 " and not I, are the natural, lawful, and compe-
 " tent judges of this matter. If they practically
 " allow me a greater degree of authority over
 " them than is consistent with any correct ideas of
 " perfect freedom, I ought to thank them for so
 " great a trust, and not to endeavour to prove
 " from thence that they have reasoned amiss, and
 " that having gone so far, by analogy, they must
 " hereafter have no enjoyment but by my plea-
 " sure."

" If we had seen this done by any others, we
 " would have concluded them far gone in mad-
 " ness. It is melancholy as well as ridiculous, to
 " observe the kind of reasoning with which the
 " public has been amused, in order to divert our
 " minds from the common sense of our American
 " policy. There are people who have split and an-
 " atomised the doctrine of free government, as if
 " it were an abstract question concerning meta-
 " physical liberty and necessity, and not a matter
 " of moral prudence and natural feeling. They
 " have disputed whether liberty be a positive
 " or a negative idea; whether it does not con-
 " sist in being governed by laws, without con-
 " sidering what are the laws, or who are the
 " makers; whether man has any rights by na-
 " ture; and whether all the property he enjoys
 " be not the alms of his government, and his life
 " itself their favour and indulgence. Others, cor-
 " rupting religion, as these have perverted philo-
 " sophy,

“ fophy, contend, that Chriftians are redeemed in-
 “ to captivity, and that the blood of the Saviour
 “ of mankind has been fhed to make them the
 “ flaves of a few proud and insolent finners. Thefe
 “ fhocking extremes, provoking to extremes of
 “ another kind, fpeculations are let loofe as de-
 “ ftructive to all authority, as the former are to all
 “ freedom; and every government is called ty-
 “ ranny and ufurpation, which is not formed on
 “ their fancies. In this manner, the ftirrers up of
 “ this contention, not fatisfied with diftracting our
 “ dependencies, and filling them with blood and
 “ fllaughter, they are corrupting our underftand-
 “ ings; they are endeavouring to tear up, along
 “ with practical liberty, all the foundations of hu-
 “ man fociety, all equity and juftice, religion, and
 “ order.

“ Civil freedom is not, as many have endeavour-
 “ ed to perfuade you, a thing that lies hid in the
 “ depth of abftrufe fcience. It is a bleffing and a
 “ benefit, not an abftract fpeculation; and all the
 “ juft reasoning that can be upon it is of fo coarfe
 “ a texture, as perfectly to fuit the ordinary capa-
 “ cities of thofe who are to enjoy, and thofe who
 “ are to defend it. Far from any refemblance to
 “ thofe propofitions in geometry and metaphysics,
 “ which admit no medium, but muft be true or
 “ falfe in all their latitude; focial and civil free-
 “ dom, like all other things in common life, are
 “ variously mixed and modified, enjoyed in very
 “ different degrees, and fhaped into an infinite
 “ diverfity

" diversity of forms, according to the temper and
 " circumstances of every community. The *ex-*
 " *treme* of liberty (which is its abstract perfection,
 " but its real fault) obtains nowhere, nor ought
 " to obtain any where : Because extremes, as we
 " all know, in every point which relates either to
 " our duties or satisfactions in life, are destructive
 " both to virtue and enjoyment. Liberty too
 " must be limited in order to be possessed. The
 " degree of restraint it is impossible in any case to
 " settle precisely. But it ought to be the con-
 " stant aim of every wise public counsel to find
 " out, by cautious experiments, and rational cool
 " endeavours, with how little, not how much of
 " this restraint, the community can subsist. For
 " liberty is a good to be improved, and not an
 " evil to be lessened. It is not only a private bles-
 " sing of the first order, but the vital spring and e-
 " nergy of the State itself, which has just so much
 " life and vigour as there is liberty in it. But
 " whether liberty be advantageous or not, (for
 " I know it is a fashion to decry the very prin-
 " ciple), none will dispute that peace is a blessing;
 " and peace must, in the course of human affairs,
 " be frequently bought by some indulgence and
 " toleration at least to liberty. For as the Sab-
 " bath (though of divine institution) was made
 " for man, not man for the Sabbath, government,
 " which can claim no higher origin or authority,
 " in its exercise at least, ought to conform to the
 " exigencies

" exigencies of the time, and the temper and cha-
 " racter of the people with whom it is concerned,
 " and not always to attempt violently to bend the
 " people to their theories of subjection. The
 " bulk of mankind, on their part, are not exces-
 " sively curious concerning any theories, whilst
 " they are really happy; and one sure symptom of
 " an ill conducted State is the propensity of the
 " people to resort to them.

Such were the ideas of English freedom at that
 period (if Mr. Burke is to be considered as their
 interpreter), and such was the extent to which they
 were carried. It was a period too which warrant-
 ed (perhaps even stimulated) bold language. This
 letter to the sheriffs of Bristol, was written imme-
 diately after a bill had passed, suspending the *ba-
 beas corpus* act, and in the midst of our greatest
 violence (by none more lamented than by Mr.
 Burke, and nowhere more by him even than
 in this very letter) against our colonies of Ameri-
 ca. It was written at a time when it was *the
 fashion to decry the very principle of liberty
 itself*. Yet in these circumstances of exaspera-
 tion, his language is such as you have heard; and
 such, as indeed it is no wonder it should have ap-
 peared to Turgot and Price, as altogether unwor-
 thy of any man who pretended at all to instruct
 the public, or to direct their opinions. Strange,
 however, as it may appear, it is nevertheless true,
 that some of those persons who are employed to
 find

find out Mr. Burke's inconsistencies, have been so grossly stupid, (wickedness and malice will not account for it, much of these qualities as most of them possess), as to fix upon some of those very passages I have quoted, for proofs of what they call inconsistency in his opinions. It is true they only quote single sentences without any reference to what goes before or what comes after ; and this, with those persons who have a better opinion of these men's abilities than I have, may have some effect in taking off the charge of stupidity, and throwing the accusation elsewhere than upon their understandings. However, with me, notwithstanding, it remains chiefly where it did. One of these passages, which I have seen quoted with great triumph somewhere or other in some printed (I am not sure but in more than one printed) book, is that in which he says, " if any ask me " what a free government is, I answer, that, for " any practical purpose, it is what the people think " so, &c." From this, these masters of reasoning conclude that Mr. Burke is inconsistent in not applauding the French Revolution. Don't you pity these poor people, gentlemen ?

Mr. Turgot was not so easily taken in. He saw that such doctrines as those maintained in the letter to the sheriffs of Bristol, put an end at once to all experiments in government, proceeding only upon speculation, and not called for by strong necessity. Of this Mr. Turgot could not possibly ap-
prove ;

approve ; and Dr. Price could approve still less. Turgot, I sincerely believe, was a well intentioned man ; with proper coadjutors, in good times, among a reasonable people, and under the necessary controul, he certainly might have done France or any country considerable service ; but he was an *œconomiste*, and it was therefore his trade to undertake reformati^ons. But his occupation would have been wholly gone, had *those speculations been considered as vain metaphysics, which tended to establish fixed principles upon the rights and true interests of individuals and nations*. Accordingly, he answers for himself and for his countrymen, that they are of a very different opinion ; and as to the people of Britain, he tells them in plain terms, that though they are not altogether in so bad a condition as other nations, yet they have much indeed to do before they can become in any way right, and never really can become so, unless they put themselves under the tuition of philosophic reason, like the people in France.

Mr. Burke, then as now, and as he had done and will do all his life, spoke highly and warmly of liberty. But this did not deceive Mr. Turgot. The liberty of Mr. Burke was a matter of moral prudence and natural feeling. With Mr. Turgot it was a matter of strict scientific definition. On the part of Mr. Burke, liberty was considered to be a thing susceptible of more and less, and which was to be regulated by the situations, inclinations, and

and whole circumstances of a people. By Mr. Turgot, liberty was held as a thing not capable of modification, of which the principles were fixed and certain, which to be enjoyed at all must be enjoyed to the full extent of its definition, and that could admit no diminution nor variations. It was easy, therefore, to see in what contempt he must have held the opinions of Mr. Burke ; and more particularly that signal heresy against the rights of men, which maintained, that a people were free to all intents and purposes who thought themselves so ; and that, unless they chose it, nobody had a title to teach them better. This was finishing the Society *de libertate propaganda* for ever.

I do not mean to say, that Turgot would have approached, in any degree, to the rights of men, clubs now oppressing and destroying France. Turgot (as I have said) was rather a good man ; and I incline to think that he believed in a God : although in this very letter he blames very severely some of the American states for requiring religious tests, and one test especially, which he reckons monstrous, a declaration of faith in the divinity of our Saviour. Dr. Price has mentioned this only in the translation of the letter ; in the original the space is left blank. Perhaps the expressions of this correspondent of a preacher of the gospel of Jesus were too strongly impious to be given to the public as they originally stood ;

while

while at the same time it was necessary to let the people of England know what the great man's opinion was on this article of our faith, and how lightly he esteemed it. However, Turgot certainly would never have gone the lengths of those that have succeeded him; and I am even ready to think, that had he foreseen what has now happened, he would have renounced his economical philosophy for ever. It is probable that he might even think better of Mr Burke's political knowledge, were he now alive, than he did in the year 1778. He would, at all events, find the opinions of that gentleman to be precisely, and in all respects, the same; while those of the people in France, liberal and enlightened as Mr. Turgot thought them in his own days, were now (when judged of by facts at least) grown into an expansion, and had acquired an energy, which he could not have calculated, and I believe did not wish for.

As to the people of England, they appear to have stood still. If Mr. Burke is to be their interpreter now, as he was formerly, the very same sentiments, in that case, prevailed among them in 1790 as in 1777. I mean the bulk of the nation; for at both periods there were (as there are now) many lovers both of absolute dominion and popular licentiousness. Thus, in the book on the Revolution in France, Mr. Burke says:

“ I

“ I flatter myself that I love a manly, moral,
 “ regulated liberty, as well as any gentleman of
 “ that Society, be he who he will ; and perhaps
 “ I have given as good proofs of my attachment
 “ to that cause, in the whole course of my pub-
 “ lic conduct. I think I envy liberty as little as
 “ they do to any other nation. But I cannot
 “ stand forward and give praise or blame to any
 “ thing which relates to human actions, and hu-
 “ man concerns, on a simple view of the object,
 “ as it stands stripped of every relation, in all the
 “ nakedness and solitude of metaphysical abstrac-
 “ tion. Circumstances (which with some gentle-
 “ men pass for nothing) give in reality to every
 “ political principle its distinguishing colour, and
 “ discriminating effect. The circumstances are
 “ what render every civil and political scheme
 “ beneficial or noxious to mankind. Abstracted-
 “ ly speaking, government, as well as liberty, is
 “ good ; yet could I, in common sense, ten years
 “ ago, have felicitated France on her enjoyment
 “ of a government (for she then had a govern-
 “ ment), without inquiry what the nature of that
 “ government was, or how it was administered ?
 “ Can I now congratulate the same nation upon
 “ its freedom ? Is it because liberty, in the ab-
 “ stract, may be classed amongst the blessings of
 “ mankind, that I am seriously to felicitate a
 “ madman who has escaped from the protecting
 “ restraint and wholesome darkness of his cell,
 “ on

“ on his restoration to the enjoyment of light and
 “ liberty? Am I to congratulate an highway-
 “ man and murderer, who has broke prison, up-
 “ on the recovery of his natural rights? This
 “ would be to act over again the scene of the cri-
 “ minals condemned to the gallies, and* their he-
 “ roic deliverer, the metaphysic Knight of the
 “ Sorrowful Countenance*.”

E

And

* I will not put it in the text, but I earnestly beg the attention of whoever reads this pamphlet, to what follows in this note.

On the 23d page of the *First Part* of “ Rights of Man,” Mr. Paine writes thus:

“ But Mr. Burke appears to have no idea of principles,
 “ when he is contemplating governments. *Ten years ago*
 “ (says he) *I could have feliciated France on her having a govern-*
 “ *ment, without inquiring what the nature of that government*
 “ *was, or how it was administered.* Is this the language of a
 “ rational man? On this ground Mr. Burke must compliment
 “ every government in the world, while the victims who suf-
 “ fer under them, whether sold into slavery, or tortured out
 “ of existence, are wholly forgotten. It is power, and not
 “ principles, that Mr. Burke venerates; and under this abo-
 “ minable depravity, he is disqualified to judge between
 “ them.

I have looked into several editions of Paine, and this paragraph stands the same in all of them.

I do not believe that there is any where else in the world to be found an instance of such shameless falsification.

Good breeding is due to the public, and I would not wish to be deficient in this respect. Yet there are certain things which can only be called by certain names. Mr. Paine has
 recorded

And elsewhere, in the same book, he says,
 " The objections of these speculatists, if its forms
 " do

recorded himself, as long as his book lasts, to be a DELIBERATE LIAR.

An useful lesson, however, arises from this; and I shall take the liberty shortly to enforce it.

I do not know that this forgery, impudently glaring as it is, has been hitherto detected by any person. By those who did not much attend to Mr. Paine, this might not be much attended to either. But with Mr. Paine's disciples (who either do not read, or read without understanding it, Mr. Burke's book) it would obtain thorough credit, that Mr. Burke thought any form or mode of government whatever good; and this wilful falsehood committed and commented upon by their master, would be of more use to his system than a thousand arguments. Once believed, it took from Mr. Burke's authority every sort of possible estimation. What was it that he defended the Constitution of England, who would defend any government under the sun! With utility so great and manifest, Paine would care but little (and it might not even happen) for after detection. That detection would not again restore the undermined authority, in whose place he had now fixed his own opinions. And as to any shame, he, and those like him, had but little acquaintance with that sensation.

It is, therefore, a lesson most necessary to be attended to, (and which the detection of this forgery demonstrates) that, where falsehoods can be of use, neither their utter improbability, nor their almost certainty of being discovered, will prevent wicked and daring men from employing them. In a time, accordingly, like the present, he who, uninformed himself, grounds his approbation or disapprobation of any proceedings or opinions upon the information of men of dubious characters, who are interested to mislead, who conceal their names, or who do not give (or are not ready to give) their authorities

ties

" do not quadrate with their theories, are as valid
 " against an old and beneficial government, as

E 2

" against

lies, commits a very great evil. He encourages the propagation of falsehood for the purposes of wickedness. Nor after an exposure such as I have just now made, can any person justify himself by the common faith that is due to the common run of men. At least on the part of Paine, and persons like Paine, there can be no question that he who is deceived has himself only to blame. It is a strange thing belief, after recorded falsehood:

Nor is Paine the only impudent liar of the day. Perhaps, indeed, there is nothing which exactly equals the making a passage in a celebrated book read by almost every man in the kingdom, say just the very reverse (and in literal terms) of what is said in it, and then (which is more wonderful still) to reason at large upon the forgery. But it is not necessary that every lie should be wonderful. The writer of a book called the *Jockey Club*, is one of these brethren of Mr. Paine. This fellow (whoever he is) has not at the same time the full merit of the other, for he only copies (in general) and does not make the falsehoods. Being pretty much versant in that species of reading, I have found scarce anything in the *Jockey Club*, unless where the characters are absolutely recent, which was new to me. It is pilfered almost entirely from magazines and former scandalous chronicles of the times. Whatever is in it of new, as well as the old, however false, can never be disproved; for who is to contradict it, except the parties themselves? and their contradiction, according to all the laws of this sort of thing, could only increase the belief already given. In this respect too, this man has not the full merit of Mr. Paine, for he lies with impunity. It is not wrong in me to have mentioned this pitiful performance. I know not how it is received in London. Here it is rather a fashionable companion

“ against the most violent tyranny, or the green-
 “ est usurpation. They are always at issue with
 “ governments,

panion ; and even in the lower and middling ranks of life you have as much chance to meet with it, as with a bible or an almanack. The present state of France is, in no small degree, owing to the calumnies circulated against the higher orders, and especially the criminalities forged against the Court. The same game is playing in this country. No instrument employed in it can be contemptible. Vice certainly ought to be justified no where ; among the higher ranks perhaps less than any where. But he is blind, indeed, who does not see why real vices are exaggerated against them in this age, and others pretended that do not exist. And that man has, in truth, little foresight who does not see the consequences of such publications being much read and believed.

Simple lying is of much more use than many people may at first sight conceive. Nothing is more certain than that it is exceedingly difficult to prove that any thing is a lie. We have all naturally a great love for anecdote. It is an indisputable fact that the most incredulous of men will sincerely and obstinately believe in an improbable enough story, for no other reason than that they have heard it privately mentioned by some person in the way of anecdote. He has seen nothing of the world who has not seen this in a thousand ridiculous instances. Then in the propagation even of what is originally true, how strangely are things added and altered ? In common life even, nothing is more difficult than to tell the precise and naked truth with regard to any transaction. In repeating a story, a person often, who does not mean to deceive others, yet deceives himself. To tax your memory with the exact thing is what (I can say it upon considerable observation) very few practise. The same process again takes place in the mind of the hearers, and they in many instances become relaters in their turn. It is
 from

" governments, not on a question of abuse, but a
 " question of competency and a question of title."

E 3

In

from this that no man of sense, in any matter of importance, will either take or seek any information in this way. It is the highway of error. After information is obtained more deliberately, and from more authentic sources, communications in this way, may indeed have their use, checked both by what has been already learned, and by the natural circumstances of probability. Under this limitation they are admissible, and may be serviceable. In any other way they deserve no regard. But this is not the case with belief at large. People, in general, obtain information in no other manner than this, and they are accustomed to credit what comes to them in the usual channel. In the common affairs of common life, as no other is to be had, so they think that in all affairs no other is needed. Besides this is the very age of anecdote. It is a sort of luxury, and an artificial fondness is thus added to the natural. Hence, whether facility of reception be considered, or difficulty of detection (and betwixt these there is also a strong reaction), the man who will resolutely set himself to be a liar, and especially in secret and scandalous anecdote, cannot fail of obtaining at least some credit and doing some mischief, and most probably of both a very great deal. Nor will a mixture of the marvellous (even to a great degree) impair this credit. In many instances it will increase it,

In this manner, a publication such as the Jockey Club, is, perhaps, the best *literary concern* that a person can be engaged in. If the man who writes it be not so shabbily poor, as to be wholly at the mercy of his bookseller, he ought very soon to put himself in a situation to be above any other necessity of telling falsehoods all his life again, unless what arises from the necessity of his nature. It is certainly a very lucrative thing. If, indeed, he be thus miserably poor, it will be very
 right

In another passage it is said, " Government is
 " not made in virtue of natural rights, which may
 " and

right in his employers (that is right for their own interest) to keep him so. They may feed him chained in the stable. And, indeed, for this they could not be much blamed; unless that, after all, the confinement may be useless, as there being little more labour than mere copying, the business might be done by almost any body who was not too apt to blush at an untruth.

I have dwelt too long upon these persons, the one with, and the other without a name. But as I never wish to speak of Mr. Paine afterwards, where I can possibly avoid it, it may not be wrong just now to say all of him that I mean at any time to say in general.

I cannot bring myself to think that he is a man of any abilities, even in the low cast to which he belongs. It is evident (though sometimes it is clear that he wilfully mistakes) that from mere stupidity he cannot comprehend the meaning of sufficiently simple propositions. What Dr. Parr says of his talents (with all the restrictions) is a severer libel than I would choose to pronounce upon the Doctor's judgment. It is no doubt true that Paine here and there expresses himself forcibly. But so does a fishwoman at Billingsgate. He is far from deserving the better part of the character given of a rascal of old by Cicero. Part of it applies exactly enough. *Longe autem post natos homines improbiſſimus C. Servilius Glaucia, sed peracutus, et callidus, cum primisque ridiculus.* I think he is better represented by a character of still more antiquity, and his interference, I trust, will in no long time be *universal*ly attended with the same effects. The personage I mean is Therſites. Of him Dionysius of Halicarnassus says :
 Τὺτο καὶ ἡ Ὀμήρου τίχνη. ἰωιδὴ γὰρ ἰώρεα τὸ στρατόπεδον ἀγασσάμεντας ὑπὲρ
 Ἀχιλλείως πρὸς Ἀγαμέμνονα, καὶ διὰ τὺτο ὁ περιούμιος ἔχοντας συμμαχοῦν, ἀλλ'
 ἀπαλλαντικῶς ἰπὶ τῶν πατρίδων, ἥδιλος λῦσαι τὰ ὑπὲρ Ἀχιλλείως δίκαια.
 ἀίεσθαι ἐν αὐτῷ συνήγαγον ἰωίδοισιν, γιλοῖον, ἢ ἐν τῇ τῷ συνήγορῳ κακίᾳ ἀφανισθῇ τὸ
 ῥῆκαιον τῷ πράγματι. Perhaps it may be thought very foolish to
 quote

“ and do exist in total independence of it, and exist in much greater clearness, and in a much greater degree of abstract perfection, but their abstract perfection is their practical defect.” And again, “ The restraints on men, as well as their liberties, are to be reckoned among their rights, But as the liberties and the restrictions vary with times and circumstances, and admit of infinite modifications, they cannot be settled upon any abstract rule, and nothing is so foolish as to discuss them upon that principle.”

E 4

And

quote Greek when speaking about Mr. Paine. But I am speaking about Mr. Paine to Dr. Parr, and to you, gentlemen. Dr. Parr sees that far from being of opinion with him, that Mr. Paine can make the worse appear the better reason, I think that the better reason, should it by any strange accident fall into his hands, would infallibly appear the worse. What Thermites, however, in a good cause did, Mr. Paine will soon do in his bad cause; in this country, at least, so long renowned for genuine natural feeling and plain manly sense; he will have rendered it still more contemptible to our understandings, and still more disgusting to our sentiments.

By the bye, the Latin translation of the Greek quoted above is so admirably stupid as to be truly diverting, that is, after reading the Greek, for the Latin of itself is unintelligible. Reiske, whose edition I have, says that he allowed the Latin to stand just as he found it in Hudson. Reiske says also (and I think he is right) that Greek books should be published without any Latin translation. I am sure that in some cases the translation is more difficult than the original. But Reiske says another thing, (in which I hope he is wrong) that no good edition of a Greek author has ever been published by an Englishman. If he is right, I wish Dr. Parr (giving up politics) would make him wrong.

And to quote no more (for the thing would be endless), the same book says: " The pretended
 " rights of these theorists are all extremes, and in
 " proportion as they are metaphysically true, they
 " are morally and politically false. The rights of
 " men are in a sort of *middle*, incapable of defini-
 " tion, but not impossible to be discerned. The
 " rights of men in governments are their advan-
 " tages, and these are often in balances between
 " differences of good ; in compromises sometimes
 " between good and evil, and sometimes between
 " evil and evil. Political reason is a computing
 " principle, adding, subtracting, multiplying, and
 " dividing, morally and not metaphysically, or
 " mathematically, true moral denominations."

The coincidence, the almost identity between these passages and those which have been quoted from the letter to the sheriffs of Bristol, is so striking, and there are so many others of the same description to be found in all Mr. Burke's works, that I have sometimes been ready to wonder, that, among the many accusations against this gentleman, nobody ever yet took it in his head to charge him with want of genius and imagination, from his so often saying over again the same things. It would be a charge much more easily made out than that of inconsistency.

My friend Mr. Mackintosh has here got himself into a strange hobble. His *enlightened advocate of humanity and freedom* maintains the very same propositions

positious in the work from which he obtains this title, that are expressly, and by name, and at much length, combated by my friend when found in the book on the Revolution. Particularly that maxim which my friend considers as destructive of the *grand theoretic principle of the ci-devant French Constitution*, that the *abstract perfection of liberty is its real fault*, is the maxim of the letter to the sheriffs of Bristol, and only repeated in the Reflections on the Revolution in France. This shews how much deliberation is necessary before venturing upon approbation and praise.

It must, however, be confessed (in this parallel between the opinions on government held in France and England, antecedent to this revolution) that some men in England, and not democratis, were not just of the same mind with my friend as to Mr. Burke's doctrines in this letter to the sheriffs of the city he represented in Parliament. Of this number was the Earl of Abingdon, who wrote a pamphlet of no less than sixty-four pages against this celebrated letter. His Lordship gives the very highest praises to Mr. Burke, but he thinks his principles of government to be, in many instances, adverse to freedom. The noble Lord, however, seems to have adopted this opinion from a considerable confusion of thought (yet there are some not bad things in his pamphlet), and from not being able exactly to comprehend what Mr. Burke plainly enough says. The Earl makes

makes one mistake, (not just so stupid as those made by the nibblers at Mr. Burke's writings in these days although) sufficiently singular and curious. Mr. Burke (as you will remember to have read above, gentlemen) had said that he was not very solicitous to clear himself of an incapacity to discuss abstract politics, because men, even less conversant than himself in these matters, had, *by the mere force of civil discretion*, often conducted the affairs of great nations with distinguished felicity and glory. Upon this the Earl exclaims, "What! are the rights of Englishmen to be held at the discretion of ministers? Is *civil discretion* the rule of our government? Wherein does *civil discretion* differ from *will*, the law of tyrants? And will any minister of this country say *I am not conversant in this kind of subtleties, the extent and foundation of these rights*, and therefore will govern by this unconditional power, the mere force of *civil discretion*!" I know not whether it be necessary to tell any of you, gentlemen, that civil discretion means civil wisdom gathered by experience in civil affairs.

My friend (though he has as clear a head as any man I know) has done something not much better than this in his interpretation of the word *convenience*, as applied by Mr. Burke (in the Reflections) to government. I do not mean at present (it is not the place for it) to follow my friend through the reasoning he employs in defence of what

what he calls the grand theoretic principle of the French Constitution, and in the course of which argument he changes the terms and the question upon himself and his readers (he is incapable of doing it upon the one without having first done it upon the other), more, I am certain, than a dozen of times in the compass of not many more pages. I am only to observe, that after having proceeded in his argument against the principles of Mr. Burke, which have been quoted above, till he had discovered that these principles did not necessarily infer (as indeed they do the reverse) that natural rights were completely and absolutely, and in every sense, extinguished by entering into society, and that, accordingly, all he had been saying on this matter was nothing to the purpose, he, upon this, changes again the question which he had often changed before, and making it to be whether, an *end* being obtained, all discussion of the theoretical aptitude of the *means* be unnecessary, he then very gravely decides in the negative, upon the ground that the inflexibility of general principles of *expediency*, both in morals and politics, and in the last still more, cannot yield to motives of *convenience*, *without the bulwark of all upright politics being lost*. By marking the word *convenience*, as he has done, in reference to the quotation made by him at the distance of some pages from Mr. Burke, (in which that gentleman says, that so soon as natural rights suffer any positive limitation, the whole

whole organization of society becomes a consideration of "convenience"), the reader is immediately led to think that *convenience* is just what Lord Abingdon took *discretion* to be. My friend will acknowledge, upon perusal, that Mr. Burke meant by *convenience* just what my friend himself means (if he intended any meaning) by *expédiency*.

I make no apology to my friend for the freedom I either here use, or may afterwards use with him. "The time," as he says himself, "is too serious for compliment." He has some excuse, however, for what I have noticed, as unthinkingly done by him, from the general confusion of his whole argument upon the "theoretic principle," in this section; an argument which I shall afterwards confute by explaining. And as to the general confusion itself (either here or elsewhere), his excuse for that, is, that his eyes are fixed so earnestly on the future prospect, as not accurately to perceive present objects. While the *visions of glory* will on no account spare his aching sight, while he is looking forward to the *Elysium* in which the human race are to dwell, after first passing through the *Tartarus* of France, it is no wonder that he should, at times, not see with sufficient distinctness around him. Seriously, he knows well that no man can admire his understanding more than I do; and it is an understanding with which no man ever came into contact without admiration. But he knows equally well, that on
this

this momentous controversy, involving the religion, morals, and existence of mankind, I will (as I am bound to do) speak my mind most plainly. I may convince my friend himself of his error; and how great a good would I then do? It is also doing good, if I convince others that he has erred. Where I love, as my friend well knows, I do not love lightly; and there is no need now, at this time of day, to tell him that I love him. But his arguments I shall consider as those of a stranger; open to be, without any management, refuted where I can refute them. I shall do it boldly, as I shall do it fairly.

Signa, pares aquilas, et pila minantia pilis.

So far as convenience or expediency can be embodied into general rules (and long and enlightened experience must have this effect), Mr Burke, of all men living, is the person who will wish these general rules to be sacredly observed. He has lamented the contrary practice again and again, and most severely. He has lamented it as to India and as to America; the two great theatres of his labours for the good of his country and of man. In the speech on *American taxation*, he says, "It is not a pleasing consideration; but no-
" thing in the world can read so awful and so
" instructive a lesson, as the conduct of ministry
" in this business, upon the mischief of not hav-
" ing large and liberal ideas in the management

" of great affairs. Never have the servants of
 " the State looked at the whole of your compli-
 " cated interests in one connected view. They
 " have taken things, by bits and scraps, some at
 " one time and one pretence, and some at ano-
 " ther, just as they pressed, without any sort of regard
 " to their relations or dependencies. They never
 " had any kind of system, right or wrong; but
 " only invented, occasionally, some miserable tale
 " for the day, in order meanly to sneak out of
 " difficulties, into which they had proudly strut-
 " ted. And they were put to all these shifts and
 " devices, full of meanness and full of mischief,
 " in order to pilfer piecemeal a repeal of an act,
 " which they had not the generous courage, when
 " they found and felt their error, honourably and
 " fairly to disclaim. By such management, by
 " the irresistible operation of feeble councils, so
 " paltry a sum as threepence in the eyes of a
 " financier, so insignificant an article as tea in the
 " eyes of a philosopher, have shaken the pillars
 " of a Commercial Empire that circled the whole
 " globe." This he said in 1774. In 1785, he
 holds the same language. In the speech on the
Nabob of Arcot's debts, he says, " I think I can
 " trace all the calamities of this country to the
 " single source of our not having had steadily be-
 " fore our eyes a general, comprehensive, well-
 " connected, and well-proportioned view of the
 " whole of our dominions, and a just sense of
 " their

“ their true bearings and relations. After all its
 “ reductions, the British empire is still vast and
 “ various. After all the reductions of the House
 “ of Commons (stripped as we are of our bright-
 “ est ornaments, and of our most important pri-
 “ vileges), enough are yet left to furnish us, if
 “ we please, with the means of shewing to the
 “ world, that we deserve the superintendence of
 “ as large an empire as this kingdom ever held,
 “ and the continuance of as ample privileges as
 “ the House of Commons, in the plenitude of its
 “ power, had been habituated to assert. But if
 “ we make ourselves too little for the sphere of
 “ our duty ; if, on the contrary, we do not stretch
 “ and expand our minds to the compass of their
 “ object, be well assured, that every thing about
 “ us will dwindle by degrees, until at length our
 “ concerns are shrunk to the dimensions of our
 “ minds. It is not a predilection to mean, for-
 “ did, home-bred cares, that will avert the con-
 “ sequences of a false estimation of our interest,
 “ or prevent the shameful dilapidation into which
 “ a great empire must fall, by mean reparations
 “ upon mighty ruins.” It is certain, therefore,
 that Mr. Burke, of all men, will be the last to give
 up to any partial temporary convenience or expedi-
 ency, that broad general convenience by which
 alone subordinate advantages can be either ob-
 tained or secured. This would be to sin against
 experience, whence these maxims of expediency
 are

are drawn. It would be to sin against experience, to which, in politics, Mr. Burke has always given, not merely the chief, but the only sway. The general maxims thus collected from the nature, the circumstances, and the situation of affairs, form the philosophy of statesmen. He is no statesman who has not a system of them : He will never " conduct the affairs of great nations " with distinguished felicity and glory." Without such system, experience of itself will do no good. Without such system, experience (if it deserves the name) will be often and often belied, often and often deceived most fatally. With such system, experience will be the collected wisdom of ages. With such system, it will be this collected wisdom applied, not loosely, but with accuracy and measurement, to the existing cases and emergencies. With such system, it can never be belied or deceived, but by a total change in the nature of man. I have said a little ago, that those who were very anxious to accuse Mr. Burke, might charge him with want of genius and fancy, by finding the same doctrines in different places of his works. I did not say they would be right. And perhaps the less on this account, that thinking so much in a system as he does, the same maxims must always be applied to things that are the same in themselves, however apparently different. Antient philosophy thought the greatest effort of the human intellect consisted in discover-
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ing *the one in the many*. Perhaps modern philosophy thinks otherwise.

The fortune of this statesman has been singularly strange. In the former part of his life (especially during the American war), he had to contend against abstract metaphysical politics, which, from the nature and essence of sovereignty, deduced as fine-spun theories of *servitude*, as their successors have done of *anarchy*, from the rights of man. To these theories he opposed practical policy, ancient usage, arguments drawn from the circumstances and situation of affairs, from the good already possessed, from the evil likely to be incurred, from the danger of the means, and from the inutility of the end. He was called an American and a rebel. In the latter part of his life, he has had to contend against abstract metaphysical politics, which, from the nature and essence of popular rights, holds all government, not only to be instituted for the good of the people (as it most certainly is), and subject to dissolution upon breach of the compact, but, for any reason or no reason, and at their mere will, to be changed and subverted, without any regard to constitutional precedent, to fundamental laws, or to circumstances of civil situation. To these theories he opposed also practical policy and ancient usage; he argued that the people's will was itself subject to general expediency and justice, that a society, once settled by fair convention, could not be unsettled, unless the convention

was broken ; that government had rights to claim as well as duties to fulfil ; and that, while it fulfilled these covenanted duties, its right to covenanted obedience was sacred, and paramount and indefeasible. He is called a courtier, an apostate, an advocate of despotism. This may be a little painful in the mean time ; but it is the surest pillar of his fame.

Dr. Parr shall be refuted by Mr. Paine.

He speaks as follows in the first part of " Rights of Man."

" It was not against Louis the Sixteenth, but
 " against the despotic principles of the govern-
 " ment, that the nation revolted. The king was
 " known to be the friend of the nation ; and this
 " circumstance was favourable to the enterprize.
 " Perhaps no man bred up in the stile of an ab-
 " solute king ever possessed a heart so little dis-
 " posed to the exercise of that species of power
 " as the present king of France. But the prin-
 " ciples of the government itself still remained
 " the same. The monarch and the monarchy
 " were distinct and separate things ; and it was
 " against the established despotism of the latter,
 " and not against the person or principles of the
 " former, that the REVOLT commenced, and the
 " revolution has been carried."

" Mr. Burke does not attend to the distinction
 " between *men* and *principles* ; and, therefore, he
 " does

“ does not see that a REVOLT may take place against
 “ the despotism of the latter, while there lies no
 “ charge of despotism against the former.”

“ The natural moderation of Louis the Six-
 “ teenth contributed nothing to alter the here-
 “ ditary despotism of the monarchy. All the
 “ tyrannies of former reigns, acted under that
 “ hereditary despotism, were still liable to be re-
 “ vived in the hands of a successor. It was not
 “ the respite of a reign that would satisfy France,
 “ enlightened as she was then become. A casual
 “ discontinuance of the *practice* of despotism, is
 “ not a discontinuance of its *principles*; the for-
 “ mer depends on the virtue of the individual who
 “ is in immediate possession of the power; the
 “ latter on the virtue and fortitude of the nation.
 “ In the case of Charles the First and James the
 “ Second of England, the revolt was against the
 “ personal despotism of the men; whereas, in
 “ France, it was against the hereditary despotism
 “ of the established government.”

These things are said in the 19th and 20th
 pages of the publication to which I refer; and in
 the 22d page, speaking of Louis the Fourteenth
 and Louis the Sixteenth, he says, “ The despotic
 “ principles of the government were the same in
 “ both reigns, though the dispositions of the men
 “ were as remote as tyranny and benevolence.”

After this, what are we to think of Dr. Parr?
 after this declaration of his master and teacher in
matters of fact? Upon what authority has the

Doctor dared to say, that " in France the heavy " pressure of the regal power clogged the first efforts of reformation." The truth is, that he said it upon no authority ; that he said it without so much as thinking whether it was false or otherwise. He said it merely because, by a false association, he had coupled France and the exercise of despotism inseparably together. He said it like a fool. Should he persist in saying it now, he will say it as a criminal.

Our ears are assailed with this sort of balderdash every day. No man in this country will deny (I am sure at least I am not that man) that Mr. Paine is perfectly right (this person is entitled to the benefit of the old proverb) in saying, that the principles of the French government (as of no government) cannot be saved, when bad in themselves, merely because, for the time, they are not exerted in mischievous and wicked actions. The subjects are entitled to better security for their freedom than the personal character of their sovereign. Their freedom, as well as their allegiance, ought to be only by law. It ought to be held neither at the will of the king nor the will of the people. All this is exceedingly true. All this is absolutely necessary for establishing any thing like good and protecting government. Accordingly, a reformation of the government of France was indispensable. But on this account must men maintain, in opposition to
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ture and acknowledged facts, that this reformation was peculiarly necessary during this reign, that the exercise of despotism in France was come to its height, that the oppressions of the monarchy were grown beyond endurance, and that the regal influence was employed to consolidate, to strengthen, and to prevent all attack upon the abuses of the government? Must they even go farther, and say (as is said now) that the old government of France had become in practice so dreadful, that it was necessary to subvert it from its foundations? Mr. Paine himself, at that time (not two years ago), dared not to say this. It was a strain beyond even his audacity. You have his word for it, gentlemen, (if you think his word in any case good for any thing) *that the exercise of despotism, during the present reign, had totally ceased in France.* Mr. Paine himself thought only of taking security against the *successor*.

What have we here! A man who roams from country to country, "riding with darkness," and prowling for his prey; the declared enemy of all established governments on the whole face of the whole habitable earth, bound by no moral, by no religious tie, a stranger to the charities of father, son, brother, and husband*; the bloodhound of democracy who noses out his game in its most

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secret

* Scarcely any thing in Homer is, in my mind, so affecting as what Achilles says to Patroclus, when enquiring the cause

secret and remotest places of refuge ; who (and though it does not sound so frightful to the ears, yet it is more dangerous and guilty still) for the accomplishment of his desperate designs, and supplying the want of talents by the extreme of audaciousness, holds it pardonable, and, indeed, praiseworthy, to disseminate falsehoods, to pervert and alter facts, and even to fabricate them ; this man (this very man), this man himself is compelled to own (the impossibility of denial could alone have led to the confession) that the government of France

cause of his tears and lamentations ; for it was not beneath these heroes even to weep. The first thing Achilles asks is whether his friend had heard any evil news from Phthia, and then he adds :

Ζῶνιν μὲν ἴτι φασὶ Μινείτιον, Ἀκτορος υἱόν,
 Ζῶνι δ' Αἰακίδης Πηλεὺς μετὰ Μυρμιδόνισσι,
 Τῶν κε μάλ' ἀμφοτέρων ἀπαχόριμθα τιθιμύτων.

There are (it is certain) many other passages which are pathetic in the highest degree, and from the same cause. When Andromache, after bewailing the fall of all her father's house, tells her Hector :

Ἐκτερ, ἀτὰρ σύ μοι ἰσοὶ πατὴρ, καὶ πότνια μήτηρ,
 ἢ δὲ κασίγνητος, σὺ δὲ μοι θαλιόδης παρακοίτης.

Every heart must feel the pathos irresistible. Yet it is some way more irresistibly affecting still, to find these charities of relationship wrought so close about the heart of the stern and inexorable Achilles. Perhaps the modern philosophers may think that the whole is very much out of nature.

Shakespeare makes Hamlet, as the very climax of detestation, call his hated uncle, a *kindless villain*. Homer and he seem to have thought that the man who had no private virtues to exercise, would never learn any public ones.

France, under its present beneficent and persecuted monarch, was only in *principle* and not in *practice* a despotism. This man is now sitting (I do not mention this as at all strange, in him it would have been strange had it been otherwise ; he is sitting) in an assembly which has destroyed the monarchy of France, and thrown their sovereign and his family into a dungeon. This is not strange in him. But what shall be said to others? some who approve, and too many who do not strongly condemn these dreadful proceedings!

Those who directly and absolutely approve, are indeed few, though more in number much than they should be: *Sunt impii cives, pro caritate reipublicæ nimium multi; pro multitudine bene sentientium, admodum pauci.* None of them are among you, gentlemen. For that reason (though it is neither my only nor my chief reason) I shall say nothing of these miserable men at all.

As to those who do not strongly condemn, *their* conduct affords a most awful document of the frailty of unassisted human nature, of the strong necessity there is for a well-balanced and steady mind, and of the danger that attends forming rash and hasty judgments on affairs of which the means and ends, as well as the character of the actors, are little known, and known indistinctly. Had things been presented, such as they now are, to the eyes of any individual, even the most furiously and senselessly in love with what he thought liberty,

he must have turned aside from their view with disgust and horror.

I know persons, who, condemning (and severely) many of the transactions in France, yet approve of the revolution taken altogether, notwithstanding these crimes. Some of these persons are such, that for me to pretend more (or even equal) humanity, more (or even equal) regard to justice, more tenderness of heart, better sense, stricter probity, a greater love of order, whether in my conduct in life, or in general thought and feeling, would be shameless absurdity and impudent weakness. They know not what has been done in France, and why it has been done. This is at once their excuse and their crime. For it is a crime (I cannot give it a softer name) ignorantly to approve of a conspiracy against all the rights of mankind, and all their interests here and hereafter; a conspiracy for destroying all belief in God, and all duty to man. Even in the little I am to say, you shall be convinced of this yourselves, gentlemen, before I leave this subject. Only let not my strong expressions (not stronger; in many instances they cannot be so strong as the reality) hurt or offend any honest man who has been betrayed into a confused and indistinct approbation of these detestable affairs. Let them not be construed as if I arrogated to myself any superiority in talents or in feeling. I claim no other merit than that of having endeavoured to acquire information before I gave praise *.

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* For any freedom of speech either employed formerly, or which may be used afterwards, perhaps both more frequently

I have said that the instances of good men who do not strongly condemn what has taken place in France, is a thing which affords an awful lesson to us. It certainly does so. From Mr. Paine himself we learn how easy it was to accomplish all the necessary reformation of France, and how much both the example and the will of the sovereign were favourable to these salutary changes. The revolution (if it must be called by that name, and if that appellation is thought *in itself* honourable) had begun the very day this prince mounted the throne, and had been gradually proceeding every subsequent day. It was finally accomplished by the assembling of the States General. This king (according to Mr. Paine) had already abandoned the *practice* of despotism. By calling the States he abandoned the *principles* also. All that they had to do, was to turn his practice into the law of the land, binding upon him and his successors for ever. Or, if Mr. Paine talks too moderately, they might have proceeded (in my opinion certainly without blame) to some farther measures. They might have improved even upon the King's practice,

quently, and more forcibly, I shall apologise (if it is necessary) in the words of Demosthenes to the Athenians:—

Ὁ μὲν ὦν παρὸν καιρὸς, ὑπὲρ ποτε, καὶ νῦν πολλὰς φροντίδας καὶ βουλὰς διευτεῖ. ἐγὼ δὲ ἔχ' ὅ, τι χρὴ περὶ τῶν παρόντων συμβουλευσά, χαλεπώτατον ἡγῶμαι, ἀλλ' ἐκείνο ἀπορῶ τίνα χρὴ τρόπον, πρὸς ὑμᾶς περὶ αὐτῶν ἰσχυρῶς εἰπεῖν, ἀλλὰ μὲν μετὰ παρηγορίας ποιῶμαι τὰς λόγους, ὑπομίνουσιν, τῷτο θιγόντας ἢ τάλανθ' ἴσους, καὶ διὰ τούτ' ἵνα τὰ λοιπὰ βελτίω γίνηται. ὁρᾷτε γὰρ ὡς ἐκ τῷ πρὸς χάριν δημογραφεῖν ἰσχύς, ἐκ τῶν πολλῶν ὑβὶ μαχθρίας τὰ παρόντα πράγματα.

tice, and fulfilled to their utmost letter, the utmost wishes of their constituents the nation. All this they might have done without passing a single decree that they did pass, without authorising or permitting any of those foul deeds which they authorised, permitted, or were compelled to permit. All this they might have done without even destroying the Bastile, of which some people talk as if it had been the chief end, and fully compensated all the confessed crimes of this revolution. It was not in their instructions either to demolish, or to take, or to attack this state prison. It was in their instructions to pass such laws as that no person should be confined either in it, or elsewhere, whose misdeeds did not deserve confinement; and if it was not in their instructions, it was equally binding as if it had been in them, that places of confinement, and the Bastile among others, should be appointed for those who transgressed the laws, or were regularly, and according to fixed judicial form, charged with transgressing them. This was what the States had to do, consulting and providing by a fixed durable settlement, which no future sovereign durst overturn, for the lasting safety of France; and it was all they had to do; all they had to do for their own glory; all they had to do for the welfare of their country; all they had to do for fulfilling the benevolent intentions of their monarch; all they had to do for obtaining the applauses and securing the happiness of Europe and
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the world. The revolution would then have been hailed with the paeans of liberty throughout the universe. At the day-spring of the French Constitution, the sons of freedom would have sung together, and all her children shouted for joy. The star of her freedom might have shot its rays athwart the deepest gloom of tyranny. The antient prophecy might have been fulfilled. "The nations might have come to her light, and kings to the brightness of her rising." She would, in the same sublime language, have been made "an eternal excellency, a joy of many generations." Her light would have been as permanent as it was universal. But instead of this, what iniquities has she not perpetrated; into what horrors has she not plunged! And this too without any cause but evil, without any end but evil. From the first day the States met, the labour has been to destroy that freedom of which they were put in possession. If such has been the case, and if either the approbation or the silence of any men among the nations around them, has given them the boldness to proceed in this mad and wicked career; or, if their example has thus become dangerous to these nations themselves, it is an awful warning indeed against hasty and ignorant judgment. Nor is it less a document against the danger which mortal man, when he abandons himself to his own fancies, incurs, of mistaking vice itself for virtue, and of viewing with little abhorrence, or with no abhorrence,

rence, in the imaginary hope of some unreal good, even the worst and blackest of crimes. A French author of the last century has truly said: *C'est un grand malheur, que d' 'être vicieux ; mais c'en est encore un plus grand de se croire vertueux quand on ne l'est pas.* Alas! that our nature should sink so low! And how necessary is that Christian religion, which, by teaching us our weakness, teaches us our strength, which by convincing us of our ignorance, conducts us to wisdom, how necessary is it for preserving us from falling through the pride of our imaginations, and an impotent reliance on our uninformed understandings, into a forgetfulness of every thing that belongs to the dignity of our nature; how necessary, how very necessary is it, that religion, of whose helps and consolations it is now the avowed intention of the atheistic confederacy to deprive for ever the race of man! Never was the assistance which it holds out to frail humanity so much to be implored as in our days. “ A man’s heart deviseth his way, but the Lord directeth his steps.”

We all remember how much the calamities of France were said to be overcharged in Mr. Burke’s *Reflections on the Revolution*. It was an accusation made in every company, and published in every pamphlet. My friend himself, in his book, held the same language. Where particular facts were mentioned, they were attempted to be extenuated, sometimes wholly denied. Of this last sort, there

there is an example in Mr. Paine both astonishing and important. He says : “ Mr Burke, on the authority of M. Lally Tollendal, a deserter from the National Assembly, says, that on entering Paris, the people shouted *Tous les eveques à la lanterne* : All bishops to be hanged at the lantern or lamp-posts. It is surprising that nobody could hear this but Lally Tollendal, and that nobody should believe it but Mr. Burke. It has not the least connection with any part of the transaction, and is totally foreign to every circumstance of it. The bishops had never been introduced before into any scene of Mr. Burke’s drama. Why then are they, all at once, and altogether, *tout à coup et tous ensemble*, introduced now? Mr. Burke brings forward his bishops and his lanthorn like figures in a magic lanthorn, and raises his scenes by contrast instead of connection. But it serves to shew, with the rest of his book, what little credit ought to be given, *where even probability is set at defiance for the purpose of defaming* ; and with this reflection, instead of a *soliloquy* in praise of chivalry, as Mr. Burke has done, I close the account of the expedition to Versailles.” Almost all this passage is utter nonsense, wholly devoid of any sort of meaning : Yet it was not for this that I quoted it, (I would then quote more than half the book, which nakedly and absolutely is made up of passages without any meaning), though at the same time it is a curious,

rious, as well as strong proof, how easy a matter it is to work upon the minds of the people. But leaving this, you perceive, gentlemen, that Mr. Paine thought this fact of the cry against the bishops, to be a matter so criminal and flagitious, so dreadful and shocking, that there was no way of doing but absolutely to deny it. He considers it to be so horrible, that it cannot possibly be true. "It sets even probability at defiance." This was at the beginning of their Revolution. After their Constitution had been settled, and repeatedly confirmed by oaths, their bishops, and all their clergy, have been massacred or exiled. Mr. Paine thinks nothing of this now. And Oh! gracious God! many think but lightly of it at this day, of this the most inhuman and cold-blooded massacre, recorded by history or tradition, while the very threat of it, only three years ago, was declared by the most unprincipled and unfeeling wretch on earth, to be a fabricated falsehood that set probability at defiance. What is to become of our morals! *Væ cæcis ducentibus, væ cæcis sequentibus!*

But if the book on the Revolution was treated as containing an overcharged account of what had taken place in France, the *letter to a member of the National Assembly* was not spoken of in terms so gentle. It was called *wild, extravagant, an effusion of anger, a mere evacuation of bile*, and a thousand other such names of reprobation. This too was done in print, and by people who told the world
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in print, that to call names was very naughty. Accordingly they could not be supposed to break through their own rule, but to fulfil a most weighty and urgent duty; a circumstance which gives additional severity to their epithets. My opinion of that letter is indeed very different. I think the vigour of its eloquence, its manly sense, and the charm of its morals equal to what is found in any of the other works of its author. But I certainly do remember well when some of the fiercest democratisers considered it as a rank libel on the French Revolution, declared its language to be frantic, and its predictions absurd. Compared with what has now happened, the language is moderation itself, and the predictions are faint and feeble indeed to those who look at the accomplishment.

In that letter Mr. Burke says to his correspondent :

“ I am not apprehensive that in speaking freely
 “ on the subject of the king and queen of France,
 “ I shall accelerate (as you fear) the execution of
 “ traitorous designs against them. You are of
 “ opinion, Sir, that the usurpers may, and that
 “ they will gladly lay hold of any pretext to throw
 “ off the very name of a king; assuredly I do not
 “ wish ill to your king; but better for him not to
 “ live, (he does not reign), than to live the passive instrument of tyranny and usurpation.

“ I

" I certainly meant to shew, to the best of my
 " power, that the existence of such an executive
 " officer, in such a system of republic as theirs, is
 " absurd in the highest degree. But in demon-
 " strating this, to *them* at least I can have made
 " no discovery. They only held out the royal
 " name to catch those Frenchmen to whom the
 " name of king is still vénéral. They calculate
 " the duration of that sentiment, and when they
 " find it nearly expiring, they will not trouble
 " themselves with excuses for extinguishing the
 " name, as they have the thing. They used it as
 " a sort of navel-string to nourish their unnatural
 " offspring from the bowels of royalty itself. Now
 " that the monster can purvey for its own subsist-
 " ence, it will only carry the mark about it, as a
 " token of its having torn the womb it came from.
 " Tyrants seldom want pretexts. Fraud is the
 " ready minister of injustice ; and whilst the cur-
 " rency of false pretence and sophistic reasoning
 " was expedient to their designs, they were under
 " no necessity of drawing upon me to furnish them
 " with that coin. But pretexts and sophisms have
 " had their day, and have done their work. The
 " usurpation no longer seeks plausibility. It trusts
 " to power."

" Nothing that I can say, or that you can say,
 " will hasten them by a single hour, in the execu-
 " tion of a design which they have long since en-
 " tertained. In spite of their solemn declarations,
 their

" their soothing addresses, and the multiplied oaths
 " which they have taken, and forced others to
 " take, they will assassinate the king when his
 " name will no longer be necessary to their de-
 " signs, but not a moment sooner. They will
 " probably first assassinate the Queen, whenever
 " the renewed menace of such an assassination lo-
 " ses its effect upon the anxious mind of an affec-
 " tionate husband. At present, the advantage
 " which they derive from the daily threats against
 " her life, is her only security for preserving it.
 " They keep their sovereign alive for the purpose
 " of exhibiting him, like some wild beast at a fair,
 " as if they had a Bajazet in a cage. They choose
 " to make monarchy contemptible by exposing it
 " to derision, in the person of the most benevolent
 " of their kings."

I well remember the time (indeed how is it pos-
 sible to forget it?) when this language was said to
 be raving and insane. This I have heard in con-
 versation till I was deafened with it. This, any
 body that chooses may see in printed books nume-
 rous enough. Among others, there is some per-
 son of the name of Belsham, (one of the lights of
 the age he must be, for his title-page mentions him
 as the author of essays philosophical, historical, and
 literary), who says, after referring to the above
 passages, and to that most beautiful and moral pas-
 sage which succeeds, concerning their festival of the
 fourteenth of July :---" Is this really the language

" of a British senator, distinguished by his superi-
 " or knowledge and eloquence? or is it the rant
 " of one,

———" *who, lock'd from ink and paper, scrawls
 With desp'rate charcoal round his darken'd walls!"*

" Of a character once admired and venerated, not-
 " withstanding its eccentricities, Mr. Burke had
 " some remains yet to lose, when his evil genius
 " prompted him, in an evil hour, to publish these
 " Reflections on the French Revolution; and his
 " friends, if, indeed, he has any friends remaining,
 " must be grieved and astonished to see him, in the
 " close of life, sink into an object of scorn and pi-
 " ty, as much beneath our censure, as on some
 " memorable occasions he formerly rose superior
 " to our praise." We all know now, how far,
 and whether or not the language of Mr. Burke, in
 these and other passages of this letter, has been ex-
 travagant or mistaken. I am sorry that we do not
 also all draw from it the conclusions which this
 knowledge should suggest.

Indeed, by a proper use of the strange events of
 our time, mankind may, at least, learn wisdom.
 Among other things we ought all to be convinced,
 and to act upon the conviction, that it does not
 merely happen in many cases, (as an antient
 thought) but is an universal rule that "*maledicus*
 " *a malefico non distat, nisi occasione.*"

Once more, let us guard against the relaxation of our morals, against their perversion. Much may be done by well studied means to overthrow them almost wholly. Mr. Burke has lamented this greatly with regard to India. In the speech on the debts of the Nabob of Arcot, he has said :

“ The junction of the power of office in England, with the abuse of authority in the East, has not only prevented even the appearance of redress to the grievances of India, but I wish it may not be found to have dulled, if not extinguished, the honour, the candour, the generosity, the good nature, which used formerly to characterise the people of England.” Certainly much was done, and still is doing, to turn our natural sympathies from that country. The same thing is attempted with regard to France; and with regard to France it is yet more dangerous. In the case of *Williams*, Mr. Fox said of an argument used in the House of Commons, that it could have been uttered by no man *whose morals had not been polluted by a residence in India*. India is indeed a bad school of morals. It is only the happier born (and there are such) who escape the contagion. But France is a school still worse. The pollution of India (in those that are polluted) does not affect the mind so universally. A complete Frenchman of the modern stamp does not retain one feeling of those that appertain to the nature of man. And arguments are employed on French affairs every day,

and in this country, which but for the pollution caught from France no man could utter, and I am sure none could hear without horror.

However, the old English spirit still subsists. The subscriptions for Poland and for the French clergy, are proofs of this. The old spirit of the British merchants too is still the same. Our national character survives, and (under the blessing of God), will long survive this false philosophy, its disciples, and teachers : *ἔχουσιν αὖ καὶ ψυχὰς εὖν τοῖς τοῖς ἀπαιτούμεναι*

Dr. Parr shall be refuted by Mr. Rabaut de St Etienne.

This reverend Protestant democratist, in a work published before the assembly of the States, and intituled, *Considerations sur les interets du Tiers Etat* ; speaks as follows :

“ Cependant, le meilleur des rois a donné la
 “ preuve la plus eclatante de la parfaite bonne foi
 “ avec laquelle il chérit ses peuples; il a donné
 “ un exemple que n’avoit fourni aucun prince, et
 “ qui, dans sa generosité sublime, ne sera peut-être
 “ désormais imité par aucun; il a rendu compte a
 “ son peuple de ses revenues et de ses dépenses ;
 “ il n’a pas craint de soumettre à l’examen de ses
 “ sujets les desordres où ses finances étoient tom-
 “ bées; il a déclaré avec vigueur a ses ministres
 “ qu’il ne vouloit plus ni impots, ni emprunts; il
 “ a médité des plans de reforme dirigés contre les
 “ abus même qui avoient occasionné ces maux di-
 “ vers; il a assemblé les notables de son royaume ;
 “ et

* et avec cette noble franchise d'un pere qui com-
 " munique a ses enfans les maux de sa famille, il
 " leur a demandé leurs conseils.

" Le zèle des notables n'a pas seulement repon-
 " du aux espérances de la nation, il les a surpassées.
 " En cherchant le remede désiré, ils ont compris
 " qu'ils étoient insuffisans pour le fournir : ils ont
 " proposé au monarque d' assembler les états gé-
 " néraux de la nation, de leur exposer la longue
 " et douloureuse plaie de l'état, et de les inviter à
 " la guerir. Un prince despotique eût rejeté ce
 " conseil, et Louis XVI. l'adopta."

And afterwards, speaking of the interval between the Assembly of the Notables, and of the States General, he says :

" Tout ce qui s'est passé depuis a fait sentir la
 " nécessité d'une assemblée nationale. Le parle-
 " ment, le clergé, la noblesse la demandent, et le
 " roi, *le roi la désire plus qu' eux tous* ; il n' a laissé
 " échapper aucune occasion de le témoigner, et
 " d'annoncer à la nation qu'il vouloit lui rendre
 " une prérogative qui pouvoit seule rétablir l' or-
 " dre public. Exemple mémorable, nous le ré-
 " peterons, qui doit toucher les François de recon-
 " noissance, et réveiller le zèle d'un peuple éclairé
 " industrieux, actif, et plein d' attachement pour
 " ses maitres."

I am very ignorant of the affairs of France since this National Convention met, partly from weariness and disgust, and partly from want of materials

of information. I may afterwards resume my activity. But, owing to this, I cannot say whether this reverend gentleman be or be not a member of the Convention now sitting, and whether he is the person stiled, according to their new nomenclature, (the latest fashion that has come up) *Citizen Rabaut*. It is a matter of no great consequence. Nothing is more likely than that he is a member of it. At all events we all know he was a member and a President of the *Constituting* Assembly, whose works have been of such endurance. In this capacity, having undergone a very signal change himself, (judging of him from what has been just quoted) he became exceedingly anxious that all other persons and things should be changed also. It was in this capacity that he said, "Tous les établissemens en France couronnent le malheur du peuple ; pour le rendre heureux il faut le renouveler ; changer ses idées ; changer ses loix ; changer ses mœurs, changer les hommes, changer les choses, changer les mots ; tout détruire ; oui, tout détruire ; puisque tout est à recreer." If he, indeed, be a member of the Convention, this gentleman, he may be again employed in his favourite business of *destruction*. As to *changing*, I wish he would try his hand at that a second time ; in two instances at least, the *ideas* and *manners* of the French people ; for these are, indeed, most shocking at present ; most insane and brutal.

But whatever this reverend democratist is doing, or whether he be doing any thing at all, your business

business and mine, gentlemen, just now is, with what is said in the passages I have above quoted. From them it appears that the Parliaments wished for the Assembly of the States, that the clergy wished the same, that the nobility wished the same, and that the king, above all the rest, wished and desired it, and even allowed no occasion to escape of publishing to the nation his intentions and wishes. This conduct Mr Rabaut de St Etienne stated *then* (it will be so stated by all good men at all times) to be of most signal and unexampled generosity, what ought to endear their king to all Frenchmen, and to inspire them with lasting gratitude and loyal zeal; zeal the more loyal the more they were enlightened. The parliaments who demanded this assembly were abolished by it. The clergy who demanded it, have been robbed of their property, massacred, and exiled. The nobility who demanded it, have been degraded and annihilated as an order, their houses pillaged and burnt to the ground, and those of them who did not escape from the kingdom almost all cruelly murdered. The king ("this best of kings") who so earnestly desired this assembly, who himself called them together, and under his own authority,---is in prison, and may be murdered at any time with impunity. This is the reward as to himself; and these are the consequences as to his nation,---not of opposing the meditated reforms (as Dr. Parr gives it out), but

as these very men, who name from day to day his keepers, do themselves acknowledge, (or did acknowledge) of consulting the wishes, and gratifying the desires of his own benevolent heart, and of what, to his fore loss, he imagined to be a generous, good, and faithful people.

Dr. Parr shall be refuted by the Count de Mirabeau.

But here, gentlemen, you must indulge me for a time. I think very differently of Mirabeau from those I have hitherto mentioned. I must express myself very differently of him also.

The Count de Mirabeau was a bad man. That is indisputable. He has occasioned great and lasting evil. He was prepared for any atrocity necessary to the accomplishment of his designs. But the Count de Mirabeau had a strong, powerful, and commanding mind. He had great talents; and he could employ them (which is itself the greatest of talents) on sudden emergencies, and in all directions. In a popular assembly, that man is almost irresistible upon whom attack has no other effect than to call forth instant, forcible, and sublime effusions of thought. If he belongs to the prevailing party, he will render their victory easier and more splendid. If he is of the minority, he will prevent them from being ever defeated with shame. As to himself, he will never
appear

appear vanquished. A good man, with these talents, is the greatest public blessing. A wicked man, with these talents (and great talents sometimes, though rarely, belong to wicked men), is the greatest public curse. Yet our natures are so constituted, that it is impossible to contemplate such a man without some sort of involuntary respect and estimation. Especially if he stand alone, amidst the meaner agents of iniquity, the only character of force, thought, boldness, and knowledge; while the rest only "in the catalogue go for men," with the insolence of cowards, and the presumption of dunces.

At the same time, I am far from saying that Mirabeau was one of the "great bad men of the old stamp." Assuredly he was not. The talents of Mirabeau were wonderfully below their talents. He was not fit to be Cromwell's drummer. The old disturbers of the world would have trodden him under their feet. But he was the greatest man in this way of his country and his time.

If, after all, I have rated Mirabeau too high, I have some excuse. He is dead. One or two of my best friends (partly, and I am exceedingly sorry for it, democratisers) know that, with the most thorough detestation of his character, I yet heard the news of his death with considerable sensibility.

Mirabeau had, besides, some apology, both for the crimes he committed or advised, and for the crimes he conceived. Mirabeau was (as many *honest* men in these days are) an enthusiast and fanatic,

natic. It was not the mere love of evil which upon all occasions led him on. That man has not studied the character of Mirabeau, (and in the penury of evil men of great talents, it deserves to be studied), who does not know that in many, very many instances, he was the dupe of his own deceptions.

There can be no man (upon the present plan of things, that is upon the plan of things for more than three years back) of great and lasting power in France. Mirabeau was the only man who had a chance to preserve his power which he had obtained to no inconsiderable degree. Mirabeau was an object of some awe even to the savages of Paris. Not having been made by them they could not unmake him, and as to competitors in the National Assembly, if any of this sort approached too near him, he could, by a little effort, throw them back to their original and natural distance. I mean competitors on the same side with himself; for on the side of the monarchy and the laws, there were more than one man, of much greater intrepidity, much bolder imaginations, much sounder judgments, much deeper and more extensive information, and (to crown all) of the most firm, undaunted, unassailable virtue. Public gratitude will no longer exist among mankind, when the names of Maury, Cazales, and d'Eprenail are forgotten. The second of these memorable men was a soldier, with all the gallantry and honour that belongs to this noble profession, and with a fire of imagination and strength of judgment

ment rarely found in any man of any profession. The last mentioned gentleman (with great faults in the beginning, redeemed afterwards by great virtues) has rescued from otherwise unavoidable infamy, the profession of the law in France. And as to the Abbe Maury, the eternal honour of the French clergy, I know myself too well to attempt his eulogy. The eulogy of all the three, and of their honest and brave associates, is the debt, and will be paid through a long course of generations, by grateful posterity; by posterity who will consider them (and consider them with justice) as the champions of the human race against the most formidable combination ever entered into for the destruction of its liberties and happiness, and against a fanaticism more horrid and relentless than the most savage religionists had at any time displayed in the darkness and ferocity of Europe.

It is not of these exalted men that I speak, when I say that Mirabeau had no competitors. I speak then of those belonging to his own gang, engaged all in wicked measures, though not all with the same dispositions, or for the same purposes. It is true, that added to all the other causes of disunion, and of authority being short lived in any one individual, or description of men; there was, besides (as there still is), that most powerful of all disuniting causes, a low jealousy and rivalry, a base ambition among their leaders, which made each man sicken at the fame (such as it was) of his fellow. It is this low turn of mind that may long
deprive

deprive France of a stable tyranny, the only consolation that wretched people can receive under the present system of things. Mirabeau was the only man in France to whom this low rivalry might have been converted (its natural change) into equally low adulation.

Accordingly, Mirabeau had some chance of preserving, in some degree, some influence or power. In this respect, his death was perhaps a public calamity. Besides, it is certain (in my opinion at least) that Mirabeau was to some length a monarchist. To accomplish the purposes of his ambition, he might have entered into designs for destroying the present sovereign, or cutting off the reigning line. But he assuredly did not wish to remove the throne, though he might wish to have the command of him who sat on it. The mind of Mirabeau was not (as I have just now said) so corrupted, so mean, and base, and grovelling, as the souls of those who now domineer (for the day) in France. Neither do I think that he would, of preference, have chosen bloody means to accomplish his object. It is on this account that I have, more than once, regretted with myself that this man is not still alive. And this without any connection with that sentiment founded upon the premature death of one who has distinguished himself (even wickedly distinguished himself) by talents so much above his fellows. France under him might possibly have been deformed with crimes less shocking to our natures. More than
this

this, I am far from being sure that Mirabeau might not (in circumstances that have existed) have been brought to do essential service, perhaps to join himself wholly to the royal cause. Altogether, I wish he still had been living. Alas! what times are these, in which I am not ashamed to express some affection for a notoriously wicked man, a foul rebel, and a traitor!

I have said that Dr. Parr shall be refuted by the Count de Mirabeau. More properly I should say by the National Assembly. It is their address, presented on a memorable occasion, for the recall of the troops stationed at Paris, and which was written by Mirabeau. It is very eloquent, but it is much more singular. A most wonderful document it is indeed. He who wishes to peruse the whole of it, will find it in N^o 19 of the *Procès-verbal*, 9th July 1789.

THIS ADDRESS SAYS :

“ SIRE,

“ Vous avez invité l’ASSEMBLEE NATIONALE à

“ vous témoigner sa confiance : c’étoit aller au de-
“ vant du plus cher de ses vœux.

“ Nous venons déposer dans le sein de votre
“ Majesté les plus vives alarmes. Si nous en étions
“ l’objet, si nous avions la foiblesse de craindre
“ pour nous mêmes, votre bonté daigneroit en-

“ core

“ core nous rassurer, et même, en nous blâmant
 “ d’avoir douté de vos intentions, vous accueille-
 “ riez nos inquiétudes, vous en dissiperez la cause
 “ vous ne laisseriez point d’incertitude sur la posi-
 “ tion de l’ASSEMBLEE NATIONALE.”

“ Mais, SIRE, nous n’implorons point votre pro-
 “ tection ; ce seroit offenser votre justice. Nous
 “ avons conçu des craintes, et, nous l’osons dire,
 “ elles tiennent au patriotisme le plus pur, à l’in-
 “ térêt de nos commettans, à la tranquillité publi-
 “ que, au bonheur du Monarque chéri, qui, en
 “ nous applanissant la route de la félicité, mérite
 “ bien d’y marcher lui même sans obstacle.

“ Les mouvemens de votre cœur, SIRE, voilà le
 “ vrai salut des François. Lorsque des troupes
 “ s’avancent de toutes parts, que des camps se for-
 “ ment autour de nous, que la Capitale est investie,
 “ nous nous demandons avec étonnement : le roi
 “ s’est-il méfié de la fidélité de ses peuples ? S’il
 “ avoit pu en douter, n’auroit il pas versé dans no-
 “ tre cœur ses chagrins paternels ? Que veut dire
 “ cet appareil menaçant ? Ou sont les ennemis de
 “ l’état et du Roi qu’il faut subjuguier ? Ou sont
 “ les rebelles, les Ligueurs qu’il faut réduire ? Une
 “ voix unanime répond dans la Capitale et dans
 “ l’étendue du Royaume : *Nous cherissons notre*
 “ *Roi ; nous bénissons le Ciel du don qu’il nous a fait*
 “ *de son amour.**

And

* These words in Italics are put so there by Baudouin, the printer of the National Assembly, and not by me. I make it a rule to follow them not only literally, but typographically.

And again :

“ L’Etat n’a rien à redouter que des mauvais
 “ principes qui osent assiéger le Trône même, et
 “ ne respectent pas la conscience du plus pur, du
 “ plus vertueux des Princes. Et comment s’y
 “ prend-on, SIRE, pour vous faire douter de l’at-
 “ tachment et de l’amour de vos sujets ? Avez-
 “ vous prodigué leur sang ? Etes-vous cruel, im-
 “ placable ? Avez-vous abusé de la justice ? Le
 “ peuple vous impute t-il ses malheurs ? Vous
 “ nomme-t-il dans ses calamités ! Ont-ils pu
 “ vous dire que le peuple est impatient de votre
 “ joug, qu’il est las du sceptre des Bourbons ?
 “ Non, non, ils ne l’ont pas fait ; la calomnie du
 “ moins n’est pas absurde ; elle cherche un peu de
 “ vraisemblance pour colorer ses noirceurs.”

The Address concludes thus :

“ SIRE, nous vous en conjurons au nom de la
 “ Patrie, au nom de votre bonheur et de votre
 “ gloire ; renvoyez vos soldats aux postes d’où vos
 “ conseillers les ont tirés ; renvoyez cette artillerie
 “ destiné à couvrir vos frontieres ; renvoyez, sur-
 “ tout, les Troupes étrangères, ces Alliés de la
 “ Nation, que nous payons pour défendre et non
 “ pour troubler nos foyers : Votre Majesté n’en a
 “ pas besoin. Eh ! pourquoi un Roi adoré de
 “ vingt cinq millions de François, feroit-il accou-
 “ rir

"rir à grands frais autour du Trône quelques mil-
 "liers d'étrangers? SIRE, au milieu de vos enfans,
 "soyez gardé par leur amour : les Députés de la
 "Nation sont appelés à consacrer avec vous les
 "droits éminens de la Royauté sur la base immu-
 "able de la liberté du peuple. Mais, lorsqu'ils
 "remplissent leur devoir, lorsqu'ils cèdent à leur
 "raison, à leurs sentimens, les exposeriez vous au
 "suspçon de n'avoir cédé qu' à la crainte? Ah!
 "l'autorité que tous les cœurs vous déferent, est la
 "seule pure, la seule inébranlable ; elle est le
 "juste retour de vos bienfaits, et l'immortel apa-
 "nage des Princes dont vous ferez le modèle."

Any man with the common feelings of a man,
 and who knows any thing whatsoever of the af-
 fairs of France, that can read what is above writ-
 ten without indignation, is a man with whom, I
 sincerely pray to God, neither myself, nor any one
 I love, may ever, at any time, have any sort of
 connexion. You see, gentlemen, with what servi-
 lity of adulation this king, under the prospect of
 serving his people, was so foully and so cruelly be-
 trayed. It is true there was great insolence (such
 as has at no time, unless by actual rebels in times
 of actual rebellion, taken place in this country ;
 there was certainly great insolence) in demanding
 from the king the recal of those troops which were
 assembled (as shall be afterwards narrated, and as
 this address itself is partly obliged to confess) for
 the safety of the people, and the security of the
 kingdom.

kingdom. This is true. But you have seen what at this time of danger and alarm, when the laws had been openly despised, the government publicly insulted, and the Assembly itself menaced by the people, though with the connivance and even incitement of many of its members, what, at this time, were the means employed by traitors to cheat their sovereign into his ruin, to make him repose with confidence on very treachery, and to divest himself of all sort of defence, at the moment when the embodied revolvers were proceeding to immediate hostilities. It is at this very time they declare (in exprefs and literal terms) that in all Paris and through the whole kingdom, nothing was to be heard but universal thanksgivings to Heaven for a king the best gift of its love to men. It is at this time they declare, that calumny has not been so senselessly absurd as to impute any of the calamitiés of France to its monarch, its beloved monarch, who had levelled the road of public happiness for his people. It is at this time they ask where an enemy of the king is to be found, where a rebel or conspirator. It is at this time they demand who has had the audacity to say that any Frenchman was impatient of the royal yoke, was weary of the sceptre of the Bourbons. It is at this time they inquire whether any person has been so frontless as to accuse the king of any one act of injustice or cruelty during his whole reign. It is at this time they conclude all these declarations and

H

questions.

questions by the repeated and solemn asseveration that the people of France were not only guiltless of any design against the monarchy, but that none had been found of such daring effrontery as even to accuse them of it ; that the deputies of the nation were called together by the people, (" the children of the king"), for the express purpose of *consecrating the eminent RIGHTS of royalty* upon the immoveable basis of the liberty of the subject ; and that while they were fulfilling this duty, dictated equally by their reason and their sentiments, even the suspicion should be removed of their being influenced by fear, instead of by that authority, yielded to the sovereign by every heart, and which was the just return of his benefits, an authority that could never be shaken or impaired, that would be the immortal inheritance of those princes who formed themselves upon his example. In this way, by their complicated treachery, the plot was laid and executed for the utter overthrow of the monarchy of France.

No such act of perfidy is recorded in history. None such has come down to us by tradition. It was impossible to pass it over wholly in silence, though taking notice of the circumstances of the times is anticipating what I am to state in detail afterwards. I now, therefore, say no more. Assuredly this address proves that the first efforts of reformation in France were not clogged by the heavy pressure of the regal power. That power
itself

itself had laboured (and too earnestly and too carelessly) in making the highway of reformation.

It is more necessary to set bounds to ourselves in these affairs of France, than in any subject besides that can occupy the public mind. I am doing the same thing that I have repeatedly done on these very affairs. I am writing on and accumulating proofs till the work may grow out of all size for present publication. I must, therefore, stop. Only one proof more shall be given. Dr. Parr shall be refuted by the citizens of Nantes.

Only, before doing this, I have forgotten two circumstances of much importance.

Dr. Parr is refuted by Mr. Petion. He was one of the deputation named by the Assembly (six from the clergy, six from the nobility, and twelve from the Tiers Etat) to present this address to the king.

Dr. Parr is refuted by Mr. Robespierre. He also was one of this deputation*.

H 2

And

* Also, and at parting with the Count de Mirabeau on this occasion, let me place here in a note, the most curious plagiarism, perhaps ever recorded. It has no connexion with the present subject. It is a considerable time since I first saw it. It has recurred to my mind by an association I could easily enough trace, were it proper to trace it. It regards Mirabeau, and it is a very singular thing. These are reasons sufficient for putting it here; at least, I can give no better.

The Count de Mirabeau, in a publication of the year 1788, "Aux Bataves sur le Stathouderat," thus addresses the republican

And now for the citizens of Nantes.

Every body knows how early and how strongly this city declared for the Revolution. Soon after the

publican party, whose designs had been overthrown by the Duke of Brunswick's march into Holland.

" Que si une lumière prophétique vous eût révélé les événements futurs, les maux que vous avez soufferts, et ceux que vous souffrez encore, en ce cas même vous auriez dû prendre la résolution que vous avez prise, pour peu que vous eussiez respecté votre gloire, et vos ancêtres, et les jugemens de la postérité.—O illustre disgrâce ! O victorieuse défaite ! Puisse cette mémorable époque être gravée dans les annales du monde en caractères ineffaçables, et sa gloire rester toujours nouvelle pour vos derniers neveux ! Ah ! Soyez à jamais ignorés de quiconque ne saura pas qu'ayant à combattre la tyrannie au-dedans, la force au dehors, la légèreté de vos voisins, vous avez succombé en défendant la cause de l'honneur, la cause de la patrie, la cause de l'espèce humaine ! Peut-être la fortune triomphera-t-elle de la renommée, comme elle a triomphé de la vertu. Mais votre conscience, du moins, bravera ses atteintes, et le souvenir de ce que vous avez tenté habitera sans cesse au fond de vos cœurs ; il y reposera comme en un sanctuaire ; il n'en sortira qu'avec la vie."

There is nothing (I believe) of Mirabeau that I have not read. I remember nothing finer than this passage.

But Mr. Burke, on the 28th of February 1785, had in the House of Commons, (see Speech on the Nabob of Arcot's debts) spoken thus upon an allusion made to Mr. Fox's East India Bill,

" It is not necessary that the right honourable gentleman should sarcastically call that time to our recollection. Well do I remember every circumstance of that memorable period. God forbid I should forget it. O illustrious disgrace ! O victorious defeat ! May your memorial be fresh
" and

the States had met, its inhabitants sent an address to the National Assembly. The Assembly ordered this address to be annexed to their *proces-verbal* of Tuesday 7th July 1789. Among other things this address says what follows.

“ La Cité de Nantes convaincue que l'intérêt
 “ du Peuple François est inséparable de celui de
 “ son Souverain, et qu'il ne parviendra jamais à
 “ secouer le joug sous lequel il gémit depuis si
 “ long-temps, qu'en donnant la plus grande ex-
 “ tension au pouvoir exécutif, tous les membres

H 3

“ qu'un

“ and new to the latest generations ! May the day of that
 “ generous conflict be stamped in characters never to be can-
 “ celled or worn out from the records of time ! Let no man
 “ hear of us, who shall not hear, that in a struggle against the
 “ intrigues of courts, and the perfidious levity of the multi-
 “ tude, we fell in the cause of honour, in the cause of our
 “ country, in the cause of human nature itself ! But if for-
 “ tune should be as powerful over fame, as she has been pre-
 “ valent over virtue, at least, our conscience is beyond her
 “ jurisdiction. My poor share in the support of that great
 “ measure, no man shall ravish from me. It shall be safely
 “ lodged in the sanctuary of my heart, never, never, to be
 “ torn from thence, but with those holds that grapple it to
 “ life.”

I never certainly met, myself, (I know not what others may have done), any plagiarism in all its circumstances equal to this.

At the same time it is a most beautiful translation. I have a translation into French, of *the Reflections*. It bears to be a fifth edition. Yet I cannot endure to read it.

What an acquisition it would have been to French literature, had Mirabeau translated Burke's works.

“ qu’un si pressant motif réunit dans ce moment,
 “ jurent sur l’autel de la patrie, en présence du
 “ juge redoutable des Rois et de leurs sujets, de
 “ maintenir l’autorité royale dans toute son inté-
 “ grité, et de réprimer de toutes leurs forces les at-
 “ tentats de ceux qui auroient la hardiesse de vou-
 “ loir le partager.

Remplie de reconnaissance pour cette longue
 “ suite de monarques qui ont fait des efforts pour
 “ rompre les fers forgés dans les siècles de barba-
 “ rie, et rappeler l’homme à sa dignité naturelle ;
 “ pénétrée des vertus du prince bienfaisant qui a
 “ rendu à la nation ses anciennes assemblées, et
 “ qui est persuadé que les droits du Trône et les pro-
 “ priétés des sujets reposent sur la même base ;
 “ ils chargent leurs députés de proclamer l’hom-
 “ mage respectueux de leur fidélité inviolable pour
 “ la maison régnante, de leur amour pour le Roi
 “ citoyen que Dieu leur a donné dans sa bonté ;
 “ ils lèvent leurs mains vers le Ciel, et proferent
 “ le serment de sacrifier leur fortune, de verser jusqu’
 “ à la dernière goutte de leur sang pour mainte-
 “ nir le sceptre dans la Maison de Bourbon, pour
 “ soutenir les décrets de cette auguste assemblée,
 “ pour défendre enfin la liberté de la nation Fran-
 “ çoise, qui n’eut jamais pour ennemis que les
 “ ennemis même des Rois ; ils appellent la ven-
 “ geance sur la tête coupable des méchants qui o-
 “ feroient calomnier des sujets fidèles, lorsque ces
 “ mêmes sujets ont la noble confiance de mettre
 “ leurs droits sous la sauve-garde du Trône, et ne
 “ veulent

" veulent etre heureux que du bonheur du leur
 " Souverain."

I shall certainly make no sort of remarks upon these passages in this address. The address itself is to be considered in no other light than as a decree of the National Assembly. It was inserted in their journals by their orders. It seems, indeed, to have happened (by a sort of ordination of Providence) for the good of mankind, that so many documents should appear in these journals, which completely prove the treachery and villainy of these pretended assertors of mens rights. The numerous volumes of their *Proces-verbal*, deposited in public libraries, will not load the shelves in vain. It is the authentic record of their wickedness and crimes; of their progress from treachery to open guilt, and from guilt, such as former ages had known or heard of, to such as only their training and discipline could make human nature either practise or conceive. One thing may be thought singular, though it is perfectly in nature. He who looks at the two or three first volumes of the *Proces-verbal*, (that is, for nearly the space of four months before these two members left it) will find that the motions or discourses (where these last are inserted) of Mr. Mounier and the Count de Lally Tolendal are by far more strongly expressed, and with less management for the existing powers, than is to be found in the other documents of those times. These two virtuous men (grievously mistaken as they had been in the beginning, and culpable as they unquestionably were) boldly ex-

pressed what they honestly conceived. They went, indeed, much too far; and trod upon the very confines of democracy; though what they did wrong serves only to shew how easily the best natures may be deceived, how almost impossible it is that they should be polluted; how even strong understandings may be led astray, yet how surely honour and sense will break through the delusion; what danger there is in yielding to general ideas of fancied good, and how great power there is in honesty to dissipate the phantoms that have thus been raised; an argument of caution at once, and of hope, of distrust in ourselves, yet at the same time of confidence. The errors of these two worthy and able men, as well as their virtues, are fruitful of instruction. Gentlemen, they deserve your consideration most seriously and anxiously indeed.

Perhaps, I may have tired you, gentlemen, by these long and numerous quotations, I did not intend at first to have taken up more than one or two pages. I have been led insensibly on. But I have not been led on uselessly, I hope. He will be an adventurous man, indeed, who, after these documents have been perused, maintains that the royal influence in France was opposed to the cause of reformation. He will be equally regardless of truth and of his character, who does not own, that in that kingdom, during this reign, so much had been done to mitigate the despotism, that the reformation was easy; indeed, the easiest of all things. The power was given and the means;
nothing

nothing was wanting but will and virtue. The National Assembly truly said, that no king had ever done so much for any people. Mr. Burke is far from speaking with justice, when in the "Reflections," he says, *that there had been some spirit of reform during the whole reign*. This is cold and feeble, and not nearly approaching to the truth. It was a reign altogether made up of reformation.

I am now to take leave of Dr. Parr; I will not do him so much injustice as to suppose that he is not now convinced of his error. He ought to pray (both he and myself, and all of us who in this age are not ashamed of being Christians) that the indignities done to the King of France, and the oppression which he suffers, may not be the means of shutting up the benignity of sovereigns, (*like a fountain sealed*), and of perpetuating tyranny upon the earth, as the only security against rebellion. Mr. Burke has expressed the same fears; I wish it may not be too truly.

Μήτις ἔτι πρόφρων, ἀγαθός, καὶ ἡπιός ἐσται
Σκηπτυχὸς βασιλεὺς, μηδὲ φρεσὶν ἔσιμα λῶδες,
Ἀλλ' ἀπὸ χάλιπός τ' ἔη, καὶ ἀσυνταξίῃ.

I hope this is a curse which is not to fall on future generations.

I proceed in my view of French affairs.

There were other circumstances of great efficacy towards the progress of rational and manly freedom in France, had it been the intention of those
who

who sought or acquired authority there, to establish any thing of that sort in that country.

Early in this century the study of antiquities began in France to be joined intimately with the political history of the Constitution. The lawyers and antiquaries of France, who had flourished in the preceding century, and from the time indeed of the revival of letters in the west, had been the glory and the very sovereigns of European erudition. In this country there was nothing to compare with them. Even Selden in England, and Spelman, were as to them *Dii minorum gentium*. As for Scotland, unless a learned judge who lives in these days, she never had any antiquary at all. To talk of Skene as one, is to talk folly. Craig, greatly learned as to the later times, was altogether ignorant of the beginnings of the feudal government. Lord Kaimes was a reasoner, with all the faults of a reasoner, except his invention. Of the lower people it is needless to speak. Scotland, however, has produced (I will take the opportunity immediately to mention his name; he is now no more) the only constitutional British antiquary that has ever been in this island. The little attention our lawyers paid to these studies of feudal antiquity, was remarked and bewailed by Spelman, in the case of the very first character of that profession. "I do marvel many times" (he says) "that my Lord *Coke*, adorning our law with so many flowers of antiquity and foreign learning,

" hath not turned aside into this field, from
 " whence so many roots of our law have, of old,
 " been taken and transplanted. I wish some wor-
 " thy lawyer would read them diligently, and
 " shew the several heads from whence those of ours
 " are taken. *They beyond the seas* are not only
 " diligent, but very curious in this kind, but we
 " are all *for profit and lucrando pani*, taking what
 " we find at market, without inquiring whence it
 " came." It is so with us still. It was not so in
 France. Her legal antiquaries had collected a mass
 of knowledge, and had arranged and digested it
 too, such and so immense, as to fill the mind with
 wonder at the power of human industry and ge-
 nius. It was upon this great collection of science,
 that the inquirers into the Constitution and go-
 vernment of France, began early in this century
 those useful labours of which I am now to speak.

The chief of these inquirers (I mention them in
 the order of time) were the Count de Boulainvil-
 liers, the Abbé Dubos, Montesquieu, and the Abbé
 de Mably.

To these I must add an author of the times of
 Louis the XVI.---Pierre Chabrit. He died young.
 Had he lived he was to have been made the legi-
 slator of Russia. The present Empress, the com-
 mon patroness of all the Atheists and democratis-
 ts of France, and who would have rewarded her and
 her fellow sovereigns so well for their protection
 and kindness, had written to her friend and de-
 pendent

pendent Diderot, or had given him to know by some other means, that she wished for some young philosophic blade of Paris to reside at Petersburg, and meditate upon legislation. On the 25th of August 1781, Diderot wrote to the Empress. After having prostrated himself at her feet, according to the customs of his tribe, he ventures with difficulty, his mind subdued, and his whole soul overawed, to open his lips in her sacred presence. They breathe forth for some time the accents of adoration. He tells this "woman of the north," that to conceive an idea worthy of being thought on by Catharine the Second, was what no man, unless Montesquieu, was capable. He tells her that she is a sovereign who thinks night and day upon the happiness of her subjects. I quote literally from this epistle which is before me. He then tells her that he sends some sheets of a work, and that, if she pleases, he will send her the man himself who made the work. This man was Chabrit. The work was, *De la Monarchie Francoise, ou de ses loix*. This work, most assuredly, and the author too himself, (so far as from a work of this kind, the character or disposition of an author can be judged), are of a merit much higher than many might be led to think from the recommendation. It is a work of great study, comprehension, thinking, and much inquiry. The course of reading, and the size of judgment, necessary for this work, naturally led Chabrit to take other paths than those in
which

which both then and now, so many unthinking men pursue the metaphysic bubbles, blown up into the air by the childish philosophy of France. Only two volumes of this great undertaking (of which the design was to give a complete account of the French government and jurisprudence) were accomplished when Chabrit died. Being so small a part of the intended whole, they can afford but very little instruction (and no sort of amusement) to those who are not much conversant in this sort of studies. Besides, that of which they treat, is now totally done away. Chabrit appears to have been a zealous reformer, yet he certainly little expected that the *monarchy* and the *laws*, about which he was writing, were so soon to be subverted from their foundation. Like the other reformers, he speaks in terms of the highest reverence and affection of the king. But, unlike the other reformers, he speaks, I believe, sincerely. He concludes the introduction to his first volume, by exclaiming, "O ma patrie! le tems est venu de te
 " consoler de tes maux, et de te livrer a tes espé-
 " rances: la justice, la paix et le bonheur son
 " dans le cœur de ton chef:

" *Hic vir, hic est, tibi quem promitti saepius audis,*

" *Augustus Caesar divum genus ; aurea condet*

" *Saecula qui rursus Latio, regnata per arva*

" *Saturno quondam !*"

They

They now spit in the face of this deliverer of France.

Were I to mention any other book of this century on the Constitution of France, it should be a most excellent work, intituled, *Les origines, ou l'ancien gouvernement, de la France, de l'Allemagne, et de l'Italie* ; of which, though I have read it with much pleasure and instruction, I am so ignorant as not to know the author's name. His name assuredly is known to the better informed. I am ashamed not to know it.

There is also one author of the sixteenth century, who, without having very deeply studied the legal antiquities and government of France, has written a work, however, of very considerable information upon the constitutional history of that kingdom. This author is *Franciscus Hottomanus* ; a name well known and highly revered in the schools of the civil law. The work itself is the *Franco Gallia*. It was written after this excellent person (who was a Huguenot) had escaped from the massacre of St Bartholomew, and was living in exile. This last circumstance is not allowed to pass unregarded by his enemies. One *Matharel-lus*, private secretary, or something of that sort, to the Queen-mother, (Catharine of Medicis), wrote what he called an answer to the *Franco Gallia*. It is accompanied by numerous testimonials of unknown names, as obscure as those in our days of *Danton*, *Chabot*, *Guadet*, *Fauchet*, and others of that
tribe

tribe. In one of these it is said, *Exulem esse turpe est, et patriae nihilominus desiderio teneri, cujus mores, ritus, leges, instituta plurimum damnes*. The maxims and morals of the tyrants of France then, and of the murderers who then drove all good citizens from the country that could escape the stroke of their poignards, were the same, you perceive, gentlemen, with the morals and maxims of those who tyrannise and murder in that country at this day. The purpose of this learned man's book was to establish the antient freedom of the French Constitution, and to assert the claim which French subjects had, in opposition to the slavish doctrines of those detestable times, to all the rights and immunities, and privileges of their ancestors. It is written, (as I have said) with very considerable information, and clearly proves what he undertakes to prove. But Hottoman wanted that mighty mass of erudition, which lay digested and prepared before the constitutional inquirers of this century, and which has enabled them to go beyond him so far. His erudition lay chiefly elsewhere. Except *Cujacius*, his great countryman, (the prince of modern lawyers,) he was the first civilian of France. He even ventured in many instances to be the opponent of that incomparable man, who himself characterised Hottoman as *virum ingenii probi et recti*; of which *Gravina* observes, *haud parvi momenti laude a tam parco laudatore*.

Gentlemen,

Gentlemen, I cannot refrain from telling you, that Hottoman in his days, more than two hundred years ago), thought as ill of the lawyers in France, that is, (not the men like himself, the *antistites et sacerdotes justitiae* ; but) of the numerous swarms who there practised chicane, as Mr. Burke could possibly do of " the assembly of pettyfoggers run mad in Paris," who have destroyed the kingdom of France. Indeed, this of the practitioners of the law, seems to have been a peculiar plague at all times of this nation. Long ago Juvenal had said, coupling France with a country which he calls the nurse of low pleaders ;

accipiat te

Gallia, vel potius nutricula caufidicorum
Africa, si placuit mercedem imponere linguae.

And, in another place, mentioning a fact which shews how early we in Britain began to copy French manners, he says,

Gallia caufidicos docuit facunda Britannos.

However, that fashion has not (fortunately for us) thriven so much here as some other French fashions. It seems never to have been in much better repute than their present fashions are with us, and are likely to continue. In France these *caufidici* appear to have been a race of immortals, a nuisance altogether everlasting. Hottoman, speaking of them in one place, says, *quam verissi-*
me

me SCABIEM GALLICAM appellare possumus: He thinks there is no salvation for the country, unless they be rooted out. His general account of them answers word for word to the present times. *Exortum est* REGNUM RABULARIUM, de quo nobis propter incredibilem artificum industriam, et inauditam seculis omnibus solertiam, dicendum videtur. Dominatur hoc tempore passim in Gallia genus hominum: qui JURIDICI a nonnullis, PRAGMATICI ab aliis, itemque RABULAE appellantur. Horum tanta trecentis fere abhinc annis fuit solertia ut non modo publici concilii auctoritatem prope jam opprefferint, verum etiam omnes regni principes, atque adeo Majestatem regiam AMPLITUDINI SUÆ parere coegerint. Itaque quibus in oppidis illius regni sedes positae sunt, in iis tertia fere civium et incolarum pars tantis excitata praemiis ad illius se artis rabulariae studium ac disciplinam applicavit; quod vel LUTETIAE, quae ceterarum civitatum omnium princeps numeratur, cuius licet animadvertere. Quis enim vel triduum in illa urbe versatus, non animadverterit, tertiam civium partem artem istam rabulariam et litigatoriam factitare? And he mentions an Archbishop of Marseilles, who, in the fifteenth chapter of a book, "De Monarchia Franciae," had said, *Opinione mea plures sunt in una Francia, scribae, procuratores, advocati, et similes* CIRCUMFORANEI, QUAM IN UNIVERSO ORBE CHRISTIANO: SI ALII OMNES UNUM IN LOCUM CONFERANTUR. Mercy! stars! what prodigious swarms there must have been of them! In

the space between the days of Hottoman, and those in which we live, these vermin may have at times less infested France. But I imagine (if they had at any time been diminished) that they were become as numerous as ever of late years: at least, if we are to make a calculation by the quantity of them found in the first (or, as it has been so foolishly called) Constituting Assembly. I cannot lay my hands just now upon a list I made out myself, of the meaner and very lowest sort of law practitioners in that Assembly, that is those belonging to the Tiers Etat. I think they were upwards of two hundred. The law, in all its descriptions, I know, made a full half. That Assembly exercised the *litigating art* in perfection, and established in perfection a *litigious Constitution*.

My friend has said *no* to this; but by a very strange misreasoning. He has said, that so far from making a litigious Constitution, all their decrees tended to lessen the importance of lawyers, and that their system has been accused of a direct tendency to extinguish the profession of the law. And this he says is a system, "which may be condemned as leading to visionary excess, but which cannot be pretended to bear very strong marks of the supposed ascendant of *chicane*."

I know not what this national convention, or the body next to succeed them under a *new* name, or the other bodies to follow, under *new* denominations also, for the amusement of the Parisian populace

populace, and of the federated banditti from the country towns, who come occasionally to take their share of the sport in the capital; I know not what they have left, or are to leave standing, even of the subordinate parts in that constitution which the first assembly made, to which the first assembly swore, and to which this populace and these wandering banditti, a hundred times over, amidst hymns and curses, and dancing and murdering, and laughter and groans, swore allegiance in the face of insulted Heaven; I say I know not what parts of this *immortal constitution* stand now, or shall be allowed to stand. But most assuredly it was a litigious Constitution. It had that for one quality. My friend in his *denial* has given the very *definition* of a litigious Constitution. Such a Constitution is just that in which there is no regular established profession of the law. Such a Constitution is *in ipsis terminis* REGNUM RABULARIUM. To have any regular profession of the law in France extinguished, must have been at the very souls of these "fomentors and conductors of the "petty war of village vexation." Whether the *Thourets*, and *Chapeliers*, and *Targets*, and *Camuses*, of whom my friend talks so highly, and of whom I think it time very much mispent either to talk or to think at all, had the same wishes precisely, is more than I can say, and I am sure is what I do not at all care about. They all certainly expected, as to any professional loss, and some of them

obtained, ample remunerations. But at any rate they fabricated a litigious Constitution. Even with regard to an institution about which they made a great noise, their *juges de paix*, (a ridiculous name borrowed from England, without any similarity of function, at least in any of the essential parts), it is impossible that any thing could be more aptly devised for generating oppressive litigation, without end and without remedy; for establishing the dominion of CHICANE upon the ruins of LAW. The rabble in Scotland (I am told) have it as one of their grand objects to put down all the lawyers. They are still too religious (and long I trust they will so continue) to think of overthrowing their church establishment. The race of Atheists is as yet confined to France. But as to the law, they (it seems) think, with my friend, that the absence of lawyers is the absence of chicane. But let me leave this subject, upon which I entered without thinking of it, and which has led me to talk of a man whom I love excessively, as if he were one of the ignorant vulgar. It is this cursed French Revolution which has overset his understanding. There is not a man of more manly sense or more honourable judgment.

The French antiquaries of the last age (as I have said) had erected an immense fabric of feudal erudition. Standing upon the eminence these great men had raised, it was not difficult even for common eyes to discern plainly before them the
antient

antient freedom of France. But this country was peculiarly fortunate in men of the first talents, (one of them beyond almost all human conception, wise and great) having turned their steps into this track, and given to their fellow citizens ample and accurate charts of their old established Constitution. The felicity of France in this respect was singular.

There were antiquaries, it is true, of great name in other countries. But there were none of that description in any country, except France, (till very lately among ourselves), who had become the constitutional historians of the laws and government of the realm. There was, indeed, in England, early in this century Tyrrell. But the *Bibliotheca Politica*, much information as it certainly contains, and though its theory is perfectly right yet, besides being disgustfully bulky, (that is bulky by repetition and often by nothingness), is as full of zeal as it is of knowledge. In the century before there had also been Bacon; with much and most important erudition. This excellent work, however, with all its learning, did not go deeply into the feudal law. Accordingly, there never was, perhaps, any people to whom the road of good government was laid so open as to the French in our days. Their constitutional antiquaries were the historical lights of Europe. But, instead of following them, they chose rather to dance after the Jack-o'-lanthorn lights of glimmer-

ing metaphysics, and to take up with the silly sophisms of a mean and meagre philosophy. Had it even been necessary for them to look abroad, (in the abundance of true political science with them at home), they might have found in Britain a constitutional guide, who, owing much to French studies, would, by being studied himself, have very amply repaid to that nation the benefits he had derived from their erudition. The very learned person I mean, is the late Dr. Gilbert Stuart.

It is very needless to mention that it was of him I spoke, when I said that there had been only one constitutional British antiquary produced in this island; and by constitutional here, I do not mean any term of party, but a philosophical antiquary applying his knowledge and his judgment to explain the history and nature of our government. Perhaps, some may place in the same class the author of the two admirable dialogues on the English Constitution; and most beautiful and most learned they certainly are. But the feudalists (with all the knowledge they contain) will probably require more accuracy and nicety, and more exactness of discussion, a knowledge, in short, more particular and intimate, than is displayed by this excellent author, before allowing him in full form the name of antiquary. Besides, he certainly falls here and there into some slips and mistakes. The Bishop of Worcester (as his appropriated fame) must be contented with being, in all the force of that denomination

tion, a critic to whom Europe has produced few rivals since the day that Aristotle died.

I did not know (as indeed I scarcely could know) Dr. Gilbert Stuart. I never even saw him. I have heard, and from those too who knew him intimately, (and the general voice has been sufficiently severe in that respect), that he had considerable faults. Among these, not the least, was a very undue portion of bitterness against an accomplished historian, the first, or among the very first, of modern times. All these faults, however, could (as I have always been led to think) be traced to a single source. By the untoward events of his life, he was thrown upon that most unhappy of all employments, the being an author by profession. He died too in early life (about six years ago, and not much above 40 years of age), before reaching that eminence in the eyes of men which his memory now holds in their estimation. It was not possible that a mind, such as that of Gilbert Stuart, could be much debased, however sorely it might be cast down, by his degrading occupation. He could not be pert, flippant, display servile insolence or ignorant importance. This could not be. But he might be unjust, capricious, and all but spiteful. Due estimation might appear in his eyes undue preference. He might see in others only those things in which they were inferior to him, and not those in which they were his equals. Besides, however pure he was within,

there must have been an incrustation of vulgarity all around him. He must have been almost cased in it. It was exceedingly difficult for him to be a gentleman. He had to associate with the other mercenaries of the press. He must have been hurt by their company. He must have been hurt by their absence. When with them he was constantly breathing foul vapour. When away from them, and when in the full expansion of thought he rose to a purer air, it was natural that he should measure his flight less by its own elevation than by its distance from them. In both cases he suffered injury ; injury to his judgment, but still more to what is better than either genius or judgment. But had he lived longer, and had he seen the flood-tide of his fame setting in, things would have then been quite otherwise. His native dignity of character would have been confirmed and strengthened by merited success. His passions would have been tempered by years. He would have had less bitterness with equal fire, and less contempt for others, with, perhaps, more consciousness of his own superiority. It is thus (and there are instances of the same kind in circumstances less favourable), that some rare men have escaped the evils of this perilous situation. With strong original talents, and especially with strong original moral habits (habits begun so early as to be nature), the thing may be done, and, indeed, has actually been accomplished. It was thus that Samuel Johnson lived unpolluted

polluted in this pestilential atmosphere: It was thus that Goldsmith (a man whom I think equal to Samuel Johnson) escaped its contagion so much, and but for a peculiar temperament might have escaped it wholly. Gilbert Stuart had some of its taint. Unfortunately for himself, and for the world, he was an author by profession. It was his fault, and it is his apology.

I have spoken of his failings ; let me now speak of his merits and talents. This would be a great field. I shall speak of them only as they concern my subject.

He was a very deep antiquary, and a very sagacious philosopher. He saw the necessity of uniting these two things ; which were in him completely united. This necessity he has expressed in his own language ; and when I can use his words I shall never use mine. " It is usual (he " has said) to treat law, manners, and govern-
 " ment, as if they had no connection with his-
 " tory, or with each other. Law and manners
 " are commonly understood to be nothing more
 " than collections of ordinances and matters of
 " fact ; and government is too often a foundation
 " for mere speculation and metaphysical refine-
 " ments. Yet law is only a science, when ob-
 " served in its spirit and history ; government can-
 " not be comprehended but by attending to the
 " minute steps of its rise and progression ; and
 " the systems of manners, which characterise man
 " in

“ in all the periods of society which pass from
 “ rudeness to civility, cannot be displayed with-
 “ out the discrimination of these different situa-
 “ tions. It is in the records of history, in the
 “ scene of real life, not in the conceits and the
 “ abstractions of fancy and philosophy, that hu-
 “ man nature is to be studied.” He practised his
 own lessons ; or rather these precepts were the re-
 sult of his practice. His industry purveyed for
 his sagacity ; and his science enlightened his re-
 searches. He was not discouraged by labour ;
 nor elated with invention. His step was steady ;
 while his eye was penetrating. His mind was
 powerful to discover ; but equally patient to in-
 vestigate. He thought that system to be frivol-
 ous which was not founded upon facts ; and those
 facts to be useless which were not formed into a
 system. On these principles, and in this manner,
 thus qualified, and thus inclined, he explained to
 his countrymen the beginnings and progression of
 the governments of modern Europe, and of their
 own peculiar constitution. Rich in feudal learn-
 ing, with a powerful and discriminating intellect,
 with a vigorous imagination, and far from un-
 taught in antient erudition, or unadorned with
 antient elegance and taste, he has accomplished a
 work which, before his time, never had been per-
 formed, and scarcely ever attempted, in Britain.
 It is full of information. There is not an idle
 passage in it. I do not say that, of itself alone, it
 is

is sufficient to give a complete system of the feudal institutions. There may be men (nay there certainly are) who may find nothing in it at all. It requires either previous study (to a certain extent), or strong intellect. Concomitant study is necessary with even the very strongest; that is, if great learning in these studies is sought for. He who is in these circumstances, will find it a key to unlock the most hidden recesses of the old law of Europe. It will be to such a man, what the word *Power* is to the hero in the beautiful Arabian tale; and the treasures of feudality will lie open before him.

Yet, after all, I assuredly do not mean to say that, so far as regards the constitution of England, there was no vindication or explanation of its principles, in the way of historical erudition and philosophical sagacity, before the publication of the "View of Society in Europe." The freedom of our constitution had been maintained by our oldest lawyers, time out of mind. In later times (antient as they are to us), Fortescue had recorded our freedom in his admirable work, *De laudibus legum Angliæ*. And, as a work of peculiar erudition on our constitution and form of government, the famous discourse of Nathaniel Bacon holds a rank beyond all others. The praise, and the appropriated praise, of Dr. Stuart, is, that he is the first in Britain (and he will remain for ever the first in all senses) who has united philo-
sophy

sophy with antiquarian research, has added to the knowledge, and improved the theories of the great philosophical feudalists on the continent; has connected our antient freedom with the liberty of the other European nations; and has proved, not merely that we were (as the learning and abilities of others had proved before), but that we must, in common with all the other European kingdoms, have been originally and constitutionally free. The causes of our preserving that freedom, which, with all the other nations, has been more or less impaired, have been considered by some wise, and by more foolish writers. Dr. Stuart thought it none of his business; and it is certainly still less mine.

The people of France, in these days, had thus every sort of assistance, foreign and domestic, to learn their old, and to reform their present constitution. The sun of historical knowledge was at its height. It shone upon them directly and strongly. Perhaps it smote them too sore; and, to avoid its rays, they buried themselves like bats, in the dark and unwholesome vaults of ignorant metaphysics.

The systems of their several constitutional antiquaries were shortly as I shall now mention them.

The Count de Boulainvilliers was the first who entered upon this career, in the *Histoire de l'Ancien Gouvernement de la France*, and the *Lettres Historiques*

ques sur les Parlement ou Etats-generaux. Montesquieu has allowed him to be possessed of no inconsiderable learning in the laws and antiquities of his country. His system was, that the conquering Franks became the nobility and gentry of the country, of which the commonalty consisted in the conquered Gauls. This is the clew which leads him through all his researches. The object of them all is the freedom of his nation. He abhors despotic sway. Yet he inclines too much to aristocracy. This is the great fault of his book, and the great source of his errors. Had it not been for this, it would have been unnecessary for Montesquieu to have written on the feudal law of France.

The Abbé Dubos, in the "*Histoire critique de l'établissement de la Monarchie Française dans les Gaules*," has a system completely the reverse. With him, the conquered people gave the law to their conquerors. Every thing in his system is Roman or Gaulish; there is nothing Gothic at all. The very meanest of the people are, in his estimation, upon a footing with the haughtiest and most powerful of their conquerors. He discovers the liberties and the privileges of the burghesses in the times and in the laws of the Romans. The kings of the Franks, however, he finds to have possessed more power than was allowed to them by the Count de Boulainvilliers. They had all their own power joined to that of the imperial Roman magistrates.

magistrates. Nay, according to him, they succeeded to all the powers of the Roman emperors themselves. The book published by the Count was judicially condemned. The work of the Abbé Dubos received no other condemnation than what it suffered from the pen of Montesquieu.

Perhaps I ought not to class the Abbé Dubos among antiquaries, notwithstanding his subject. His learning was of another sort. *Mr. l'Abbé Dubos a puisé dans des mauvaises sources (says Montesquieu) pour l'histoire, dans les poëtes et les orateurs ; ce n'est point sur des ouvrages d'ostentation qu'il faut fonder des systemes.*

Yet his reading in the laws of the barbarians was far from contemptible. Only Montesquieu has said that he abused this reading.

Speaking of these two systems, so opposite to each other, Montesquieu has also said :---*Mr. le Comte de Boulainvilliers et Mr. l'Abbé Dubos ont fait chacun un systeme, dont l'un semble être une conjuration contre le Tier-Etat, et l'autre une conjuration contre la noblesse.* This language was very correct and precise in the times of Montesquieu. It would not do in our days. Translated into the more modern tongue, these expressions mean no more, than that in the one system the distinction between *noble* and *roturier* is made more antient and marked than it really was, and that in the other the equality of every thing beneath the sovereign

sovereign authority was again made of such antiquity, and so complete, as to derogate from the honour and the power of all the nobility and gentry of the kingdom. This last, at the same time, was evidently the error which an absolute king would least be disposed to contradict.

The cause of the errors into which the Abbé Dubos has fallen, is very truly, in the "Spirit of Laws," said to be, that he had more before his eyes the Count de Boulainvilliers than his subject.

The work of the Abbé Dubos is in the same book characterised in a manner the most masterly. The short passage I am to quote, furnishes instruction much beyond its subject. It is a general and profound lesson of critical belief and accurate judgment.

" Cet ouvrage a séduit beaucoup de gens, parce
 " qu'il est écrit avec beaucoup d'art ; parce qu'on
 " y suppose éternellement ce qui est en question ;
 " parce que plus on y manque de PREUVES, plus
 " on y multiplie les PROBABILITES ; *parce qu'une*
 " *infinité de conjectures sont mises en principes, et*
 " *qu'on en tire comme conséquences d'autres con-*
 " *jectures.* Le lecteur oublie qu'il a douté pour com-
 " mencer à croire. Et comme une érudition sans
 " fin est placée, non pas dans le système, mais à
 " côté du système ; l'esprit est distrait par des ac-
 " cessaires, et ne s'occupe plus du principal. D'ail-
 " leurs tant de recherches ne permettent pas d'
 " imaginer

“ imaginer qu'on n'ait rien trouvé ; la longueur
 “ du voyage fait croire qu'on est enfin arrivé.”

In this passage of admirable wisdom, nothing is of more importance to us in these days, than the warning not to take probabilities for proofs, conjectures for principles, and from the first conjectures to deduce as strict logical truths other conjectures. This is just the very essence of the fanatical philosophy of the times. It is the very thing which justifies all that has been done, all that shall be done, and all that can be done in France.

Montesquieu has likewise pronounced judgment on the work of the Count de Boulainvilliers. His sentiments there regard only that matter itself. My opinion of this work is the same with what is given in the Spirit of Laws ; and it would not become me to express it in any other manner.

“ Comme son ouvrage est écrit sans aucun art,
 “ et qu'il y parle avec cette simplicité, cette fran-
 “ chise, et cette ingénuité de l'ancienne noblesse
 “ dont il étoit sorti, tout le monde est capable de
 “ juger et des belles choses qu'il dit, et des erreurs
 “ dans lesquelles il tombe. Ainsi je ne l'exami-
 “ nerai point ; je dirai seulement qu'il avoit plus
 “ d'esprit que de lumières, plus de lumières que de
 “ sçavoir ; mais ce sçavoir n'étoit point méprisable,
 “ parce que de notre histoire et de nos loix il sça-
 “ voit très-bien les grandes choses.”

The justness of this character will be called in question by no person who reads with attention

what the Count de Boulainvillies has written. As an author he possesses, unquestionably, very great merit. The noble independence of his mind is, besides, conspicuous in every page of his book. He was a nobleman who would have pleased Henry IV. to his very soul.

With all the defects of these two inquirers, their publications were, notwithstanding, of the utmost value. It was a great deal, besides, to have made this discussion a matter of common right, and to have set the example of it. It soon passed into other hands.

Perhaps, a considerable portion of a book that is in the hands of every body, and of which every body speaks, from the boy to the greybeard, has been yet less read by any body, than the most musty and stupid annotator on the civil or canon law. At least, I can answer for my own personal knowledge, that I have seldom heard any person even *talk* (and in this age there is nothing that is not talked about) of that very considerable portion of the *Spirit of Laws*, which is taken up in the investigation of the original government and the feudal law of France. It is yet the part of that book, which of all others displays the greatest genius. It is full of the finest writing. And its erudition is immense.

It has been made a matter of wonder by some people, how Montesquieu could bring himself to submit to a study so disgusting and full of toil, as

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that

that of the old monuments of the barbarians, of the capitularies and constitutions of the first ages of the French Monarchy, and of the jurists and formalists who wrote then, and for many hundred years afterwards. They say it was a thing the least to be expected from a genius so sublime as that which he possessed, from a man whose taste was so refined, and whose imagination was so lofty, from a mind fitted to grasp such mighty objects, with a reach of intellect so powerful and sagacious. In saying this, they have only said that they do not know what genius is.

As this is a matter of great importance in itself, and of greater importance still to the present times and the present circumstances, I shall say something upon it.

We are told by Mr. Addison in the Spectator, that a person whom he calls "one of the greatest geniuses this age has produced, and who had been trained up in all the polite studies of antiquity," had assured him, that being obliged to search into several rolls and records, he came at last to take "an incredible pleasure" in the employment, and "preferred it even to the reading of Virgil or Cicero."

The person of whom Addison spoke, was Atterbury. The rolls and records were the books of the church of Westminster; which, as the Bishop mentions in his speech, in the House of Lords, he consulted from the foundation. I should not wonder

der though Atterbury had not taken so much pleasure in this employment, as his admirer Addison says he did. But it is a very striking example, that taste, and politeness, and elegance, and refinement, when possessed in those degrees that approach to genius, partake *themselves* in the love of learned labour.

As to high genius, it loves labour to excess. It loves, no doubt, also its times and its seasons. The bolder the imagination, the more luxuriant and boundless the fancy has been, the more has the memory been also a storehouse of facts, and the range of the understanding wider in investigation. It is a general rule, subject to as few exceptions as any general rule (perhaps to none), that there never has been a man of great erudition and judgment, and the *converse* is equally true, who was not a man of strong imagination and splendid fancy.

Genius in its highest casts possesses all the qualities of mind, in their greatest possible perfection. This is its definition. Yet every day we hear foolish men saying, that such and such persons have too much imagination, and that it is impossible in this way that they can possess the judgment necessary for conducting business or managing affairs.

What these men say, may, indeed, be very true; but then not in the sense that they mean it.

It is very easy to attain the praise of any thing in this age; perhaps, it is not quite so easy to keep it. Thus in what in our days we style poetry, the

trade of making verses is just as easy, as the other modern trade of making Constitutions. Yet we see people acquiring fame by this practice daily, and almost hourly. What praises are not heaped upon women who throw aside the delicacy of their sex, and men who renounce all manly honour, to write odes and hymns, and all sorts of that kind of thing, upon the barbarities and impurities of the French Revolution ! They now publish poems (as they are called) to celebrate a whores' hop on the ruins of the Bastile ; where, in the intervals of lewdness, these low creatures dance to the tune of some song of blood and murder ! Yet the women and men who write these poems are said, by the wits of the times, to possess imagination. It may be so. But if it be so, they certainly are "imagination as foul as Vulcan's stithy." It is strange they should inhabit female bosoms ; and yet almost all the writing women are possessed by these spirits so strongly, that no possible exorcism can (I fear) cast them out. I readily grant that this sort of imagination (even were it employed on innocent and pure subjects, instead of matters unclean and wicked) is wholly incompatible with business and affairs. It is silliness, at the best, and folly.

Thus, in one sense, the maxim that I controvert is most indubitably true. A weak and frivolous imagination is the surest sign of incapacity of judgment. But its being true in this way is the very reason that it is not true in the other.

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The maxim which I controvert is also true in other respects.

It is true with regard to all those Statesmen, who, "by the mere force of civil discretion have conducted the affairs of great nations with distinguished felicity and glory." When the vessel is not to be navigated in a tempest, or when a bolder stretch is not made than the common run, men of common abilities (with honest minds) are, perhaps, the men of best abilities to govern an empire. Men of common abilities either have common imaginations (that is none), or they must have fancies deranged and fantastic and absurd, if their imaginations be uncommon. This last case settles itself. In the other, the absence of imagination is no proof of want of judgment.

The same thing holds in the profession of the law; and, perhaps, more particularly still. In it, very frequently, there have been seen men, who, with the ordinary natural parts, and the exercise and training of their judgment in judicial questions, have displayed an energy and subtlety of reasoning, which left far behind them the acutest logician of the schools. Indeed, with parts any way suited to the task, there is no such mental training to be any where found, as in the courts of law. In less happy dispositions, these habits may degenerate into narrowness and cunning; and even where dispositions were the best, I should always dread professional combinations. This, however,

is another question. As to the matter of which I am speaking here, it is certain that lawyers of this description are men of very high estimation. I should never think any cause possessed of its full strength in which some of them did not make a part. There are cases in which I would give them the preference; perhaps, even exclusively. I do not mean to say that my Lord Coke was not a man of learning and genius. However, he can bear no comparison in these respects with his contemporary Bacon. He was greatly beneath him in all the qualities of the mind, except firmness and courage and honour; of which Lord Bacon had none, or very little. Yet I do not know but in matters of law (and considering their science merely) I should have preferred the opinion of the Chief Justice to that of the Chancellor. He might not be able to cope with his adversary when he bore down with his whole weight; but in common subjects commonly considered, the opinion of such a man would be in more readiness and with more accuracy. I need not repeat that I speak thus of Coke only as compared with Bacon. To return to the lawyers; here also the absence of imagination is not the absence of judgment; but both united are the perfection of this character. It is not, as many think, an argument against a lawyer that he is otherwise learned. But as little ought we to be guilty of that other injustice which refuses the praise of talents to simple professional skill.

Of

Of these wrongs, however, the first is by far the greatest and most mischievous. Indeed, to hold that any person belonging to a liberal profession, steps beyond it, or aside from it, in treating upon any subject of general learning or public importance, is to destroy the national learning from the root. Authors by profession would then reign alone, in the literary (if it deserved the name of literary) commonwealth.

I most sincerely wish to God the race of authors by profession (of those I mean who make it their trade, and their only trade) were utterly extinct! I think the multiplication of these men has been and will be of the greatest detriment, perhaps of final ruin, to Europe. They have gone far to destroy our learning, our government, and our religion. I talk not of individuals. Men may be thrown upon a course of life by various accidents, which it is not in their power to command or resist; and it is necessary (as I dare say somebody has observed before me) that he should live upon his wits who has nothing else to live by. This too may be the case (as in some instances it has been) of minds of the first order. The evil consists in the actual existence of such a *profession*; and it is, perhaps, the worse for the splendour of those few great names who have procured their livelihood by their writings. Such a *profession* is eagerly sought after by presumptuous young men, who flock in crowds to great cities, to display their abilities, and to fill as

they best can their purses. The apprenticeship to the trade is short and cheap, and they can set up on a very small capital. Here also, as in every other trade, the subdivision of labour increases the numbers employed, and the numbers employed increase at the same time the subdivision of labour; till at last the portion of knowledge requisite for any given branch is reduced by degrees almost to nothing. Even, without this, if it be considered that a person must choose his trade early in life, we may judge what proficiency the young literary artisans are likely to make; especially as they come so quickly to do business for themselves. They are soon too much engaged in the occupations of the day to have leisure for any solid future improvement; and grow older without growing wiser. Criticism (an ancient author has told us) is the last fruit of much study. With us matters are reversed. The first thing upon which a youngling's hand is tried, is the judgment of books. You may be a critic long before, and though you never are, an author. Those again who are authors (and their numbers are like the sand), bring to market what is most easily purchased, and can be sold most readily. Numerous retailers vend in small quantities what has been procured from the wholesale dealer; and there are hawkers likewise furnished from these retail shops! What learning can be found among all this! Books are multiplied, and ignorance along with them. Of old it was said,
that

that a great book was a great evil. We have a greater evil in our days; the evil of many books; and these books too (which is no diminution of the evil) the meagre copies of each other. They all treat of the same sort of thing, and sometimes without any variation of the cookery.

While such proceedings lead to the destruction of learning, government goes in its train. Nothing is easier than to talk in general of government. To say that all men should be free, and that all men are equal, requires no information, nor powers of mind at all. A boy, just from the grammar-school, at his little club, will make you a very nice oration upon the duties of sovereigns, and the rights of the people;---full as sensible (and probably much better written) as any thing published by Thomas Paine. He will also understand that person completely; who, if he prides himself in being level to the meanest capacity, is certainly entitled to boast much. At the same time, to comprehend the various and mutual duties and rights of the sovereign, and of the subject, requires much learning and deep study. The silly prattling of the day may be taught and learned in half an hour. As easy as upon politics, they can talk of religion; and when you talk upon both, you are then a philosopher. Tyranny and priestcraft---these magic words, well pronounced and well applied, form the first philosophy. You have only to decline them through their cases, till
you

you come to the ablative. Diogenes went about the streets of Athens, (or of Corinth was it?) seeking for a wise man, with a candle in noon-day. It is said he could find none. Alas! that he were not now sent to the streets of London, or especially Paris *.

I do honestly believe, that if the race of authors by profession goes on increasing as it has done, and that a particular care of the learning of the country be not displayed in the professions commonly called learned, by public men, and by men of easy literary leisure, we are on the high road (and at a great rate), to regions of ignorance of a thicker gloom by far than what has, at any time since we came from the woods, overspread the face of Europe. Science had won to herself a fair dominion in this portion of the globe. It will fall with other principalities and powers. It was supported by great learning and noble talents. These talents, and this learning, were not then (more than they are now), the property of the many. The vigour of the literary commonwealth ran in the blood of its *optimates*. That vigour is only there still; only among the better born:

-----*Queis arte benigna*
Et meliore luto finxit præcordia Titan.

But

* It was an *honest* man, I believe, that Diogenes sought. But it is all one this! All the wise men of this age are honest men. Indeed, they tell us themselves, that all others are knaves.

But these are not the persons now elected into the chairs of the modern school. The lower pedagogues of philosophy are miserably ignorant indeed, and miserably stupid. The higher masters are somewhat better. I do not deny them some talents; of the cast that their talents are. Yet even those among them, who rise the highest, who, "in the furling smoke uplifted, spurn the "ground," mount only to sink in a "vast vacuity," lost in the elemental principles of things, where all is dreary darkness. It had been the labour of science, to establish morals and government upon foundations adapted to the circumstances of man, upon the relations of his nature; to shape the crude consistence of these original principles into a salutary and seemly order; to settle and regulate his rights and duties; to bound and wall them in against the war of "embryon "atoms," and the hostilities of wild abstraction; to throw, in one word, upon the natural rights of mankind, obscure in themselves, and undefined, that real illumination which should distinguish their proportions, and mark out their extent. The literary race of our days know nothing of all this. They are now travelling the *profound* to destroy all this order of things, to expel usurping science, to restore original darkness, and "erect the standard "of antient night." But these dark materials are not in creative hands. Our philosophers have en-

tered again into the womb of nature, and, I doubt not, they will there find their grave.

It is a matter, notwithstanding, of the very highest importance to set the learning and the sense of the country, in opposition to this multiplication of ignorance by the press. It is, accordingly, of great importance likewise, and particularly in this view, that a professional man, who is, or ought to be, learned to a certain degree, and who may be so in a measure very eminent, should not be thought to go beyond his duty, or transgress his proper sphere, when he pursues (without abandoning other matters) objects of political science, or science of any kind, in which he is able to instruct the public, and it is fitting that the public should be instructed. Otherwise, by the double operation of active ignorance and inert knowledge, science and learning, and taste may be driven from those regions where they had seemed to fix their lasting residence, and their most favourite abodes.

This would be a fatal error. It is an error equally pernicious, that maxim which I have undertaken to overthrow, which supposes that high genius and imagination are incompatible with sober thinking and prudent judgment, with the knowledge of facts, and with the talents to apply them.

I have enumerated the false meanings of this maxim, in which, by misinterpretation, it is true. I am now to consider its real meaning, in which, by being rightly understood, it is wholly false.

It might easily be shewn by reasoning *a priori* that it must be false. I shall content myself with shewing, by an appeal to facts, that it is false.

Homer is my first example. It is needless to tell any body who knows any thing of the father of poetry at all, that his minute knowledge of facts is as astonishing as the sublimity of his imagination. Indeed, his knowledge of facts is so wonderfully accurate, and so exceedingly extensive, as to appear at first sight supernatural. Certainly his knowledge never was accounted for completely, (and, perhaps, not completely even there), till the publication of the admirable "Inquiry into the life and writings of Homer." The patience of investigation, which was necessary for the poet to acquire this historical knowledge, and the love of labour which his wonderful acquisitions in this way so strongly manifest, must have qualified him (had such been his fortune) when joined with the other energetic talents he possessed, (even had these been less eminent), to *wield at will the fierce democracy, or bear the weight of mightiest monarchies*, to have commanded nations and counselled kings. His charming morality, and the knowledge which he possessed of the human heart, might have made him in an age less fitted for poetry, the chief ornament of the Porch or the Lycæum. Or, if these qualities and situations (by the association of ideas which we have been accustomed to make) should appear incongruous to the character of Homer, at least

least none will dispute that his accuracy of investigation was neither lost nor obscured in the splendour of his fancy.

Milton, holding nearly the same rank in other respects, is upon a footing with Homer also here. His acquired knowledge was boundless. To give all the necessary examples would be to write a volume. I shall content myself with his geographical knowledge ; a knowledge which I cannot even conjecture, in the degree that he possessed it, how he could possibly acquire. Among many others I shall mention one astonishing proof of his minute information in this way. Major Rennell in his "Memoir," mentions that though the *Decan*, in its most extensive signification, includes the whole region south of Hindostan proper, or south of the Nerbuddah, yet, in its real acceptation, it comprehends only the countries situated between Hindostan proper, the Carnatic, and Orissa ; that is, the provinces of Candeish, Amednagur, Vissapour, Golconda, and the western part of the territories of the Berar Mahratta. Milton, in the middle of the seventeenth century (the most astonishing thing in the world ; for even to France and England very little was known in the middle, and long after the middle of this century ; Milton) knew at this time, when India itself was scarcely known to any man, and much less its geographical divisions, that the Decan did not properly comprehend all the peninsula south of the Nerbuddah. In
speaking

speaking of the fig-tree, whose leaves were bestowed upon our first parents, he says, (and at the same time giving a most accurate description of the *Banian* tree, at that time almost as much unknown as the *Decan*):

- " The fig-tree, not that kind for fruit renown'd,
- " But, such as at this day to Indians known,
- " In *MALABAR* or *DECAN*, spreads her arms
- " Branching, so broad and long, that in the ground
- " The bended twigs take root, and daughters grow
- " About the mother tree; a pillar'd shade,
- " High over-arch'd, and echoing walks between."

Nor is this (wonderful as it is) the most conspicuous part of Milton's geographical knowledge. Both Major Rennell, and Sir William Jones have taken the lines respecting Eastern geography in the "*Paradise Regained*," as the motto, the one of his "*Memoir*," and the other of the *Dissertations on Asiatic geography*, prefixed to the *Life of Nadir Shah*. As to Milton's other knowledge of facts, and his astonishing reading, it is obvious even to common observers; to men of learning and knowledge it appears altogether miraculous.

Some persons may be surprised at my placing Shakespeare in this list. But it is, notwithstanding, true that he deserves to be placed there. His information was great and extensive; and his reading as great, as his knowledge of languages could reach

reach. Considering the bar which his education and circumstances placed in his way, he had done as much to acquire knowledge as even Milton. A thousand instances might be given of the intimate knowledge that Shakespeare had of facts. I shall mention only one. I do not say he gives a good account of the Salic law, though a much worse has been given by many antiquaries. But he who reads the Archbishop of Canterbury's speech in *Henry the Fifth*, and who shall afterwards say, that Shakespeare was not a man of great reading and information, and who loved the thing itself, is a person whose opinion no man would trust or ask upon any matter of investigation.

Many other men of the most sublime imaginations might be enumerated, who, if not possessing equally, yet possessed in a great degree, this extent of information, and solidity of judgment. But this would lead me too far. I must confine myself to the line in which I set out. I shall mention only two other men, one living, and one dead, and who are of the same rank with those that have been mentioned already. The living character I think the greatest of the two, and, though he is living, I venture to say, that his knowledge and genius are fully equal to any thing that has gone before him.

Mr. Burke, a man of the highest imagination, has united with it, in the same manner, the clearest and most penetrating judgment, and the most unbounded and most intimate knowledge of facts.

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This knowledge of facts is in him indeed so astonishingly accurate, as well as boundless, that the most pathetic or sublime of those representations, which have commanded the passions of terror and pity, and have reigned supreme, clothed in awful magnificence, or arrayed in the deepest colours of woe, over the subdued souls of his readers and hearers, might, for the observation of minute accuracy, and the undeviating tenor of real fact, be placed in the most unquestioned register of cold, dry, detailed narrative, obtained and authenticated by the law. I speak without any exception; and no man can produce me one in the whole compass of his works. He gives great latitude to others in this respect; but he takes none to himself. Speaking of the opinion delivered by Mr. Fox on the French Revolution, he has said, for example.----“ The gentleman, however, has explained himself, and it would be too like that “ captious and cavilling spirit, which I so perfectly detest, if I were to pin down the language of “ an eloquent and ardent mind, to the punctilious “ exactness of a pleader.” Certainly to do so would be exceedingly wrong; and it is impossible that Mr. Burke should not detest so base and such an unworthy proceeding. It is not possible he could do it to any man. Yet, as to himself, he can securely stand even this test. With an imagination splendid, various, playful, and bold, beyond any thing which this age has produced, (or,

perhaps, any former age), whose excursions are rapid beyond conception, and unlimited almost as the nature of things, which ranges in all directions through universal existence, he has, with all this, in all matters of fact, "the punctilious exactness of a pleader." His memory retains, and his judgment selects them, with accuracy and with faithfulness, while his imagination gives them their boldest shapes, and their most commanding aspects.

Mr. Burke, and the few men like him, (if any man has ever existed wholly like him), I have frequently thought might be compared to the celestial guide, who illumined the dungeon, and revived the courage of the last Roman. *Statura discretionis ambiguae; nam nunc quidem ad communem sese hominum mensuram cohibebat; nunc vero pulsare cælum summi verticis cacumine videbatur; quæ cum caput altius extulisset, ipsum etiam cælum penetrabat, respicientiumque hominum frustrabatur intuitum.* It is by this management, and by such powers, that these chosen deliverers are prepared, by the beneficent predestination of the Father of men, to spread and secure his blessings among his offspring.

After this I might say no more. The examples I have given are more than sufficient for overthrowing the foolish maxim which has gained (by what means it is not easy to say) so much ground in the world. I shall mention only one example
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more; after first having answered a question which some persons may have been wishing to ask, perhaps, now for some time.

It may be asked why I should take any sort of pains to consider or confute this maxim at all. I have said, indeed, that it is exceedingly pernicious, but they may still ask where its great evil lies. I shall inform them of this.

It has been a great evil at all times, but it is the peculiar evil of our days. One of the chief arts employed by the wicked men who defend, or who endeavour to propagate, the principles of the rebellion in France, has been to deny, (while the thing could be denied), and still to extenuate those atrocious crimes, which produced, or were produced by this great calamity. In order to effect this, and when these crimes, brought forward in their natural and odious shapes, caused a sort of loathing and detestation in the minds of all men, mingled with the necessary indignation at such enormities, and when even the shameless boldness of these apostles of sin, was compelled into a half confession of the horrors committed by those who sent them; the cue then was to have recourse to reasoning and argument, to preach up the capability of perfection in man, the improvements which his nature was to receive, and the sort of godship in the world below, (indeed they speak of no other world) he was now shortly to obtain. And what was it to climb to this exaltation upon the

carcasses of a few miserable men, especially of men, who having enjoyed (most of them) the good things of this life already, might now be contented to be deprived of them, and even to suffer besides, (by way of equality and compensation with those who had not hitherto been so fortunate), the deprivation of life itself! What was it even to wade through blood up to the eyes, when, on the opposite shore, the feet of the new devotees were to press the holy ground of the philosophic land of promise! The perfection of man! Can it be placed at an estimation too high! What price is equal to its purchase! The perfection of man! His perfection as an individual! His perfection in society! Blood! In such extatic visions who cares for blood! Shed of it enough! It is the cement of the new city, the habitation of equality. It is the moisture of the new soil, prepared and manured for the new rights of men. Let not the "compunctious visitings of nature," draw off the mind from the future prospects to the present scene. In the acquirement of universal good, who would be so criminally weak as to lament the partial evil! Such was the reasoning set up in opposition to the native feelings of the human heart; and it seduced and seduces many. In the contemplation of the end, they forgot, and forget wholly, the foulness of the means.

How was this dreadful disease of the mind, this miserable madness, to be cured and eradicated!

Or,

Or, if to do this should baffle all skill, how was it to be prevented from spreading through the land, from infecting the whole people ; from doing this in the only and really effectual, in the only and certainly dangerous way, by the plague being communicated to the better orders of men, who guide (whether they appear to guide or not, I do not speak merely of rank, but of property and substance, and estimation and worth) all the orders who move beneath them? The only means that could be used was eloquent reason. The only way was to make the human feelings rally around the human heart ; and the signal for this could be founded only from the citadel of wisdom, and in the commanding strains of real natural feeling. Mere reason could have produced no effect ; or, rather it must produce effects the most fatal. There was much to take hold of the fancy in the doctrine of the perfection of man ; in the visions of universal happiness so soon to commence, and thrown as a pall over the hideous frightful French murders. Set reason, naked reason, in opposition to this, and what could reason do? Reason of itself could not prove that the perfection of man, and this universal happiness, was a chimera. Far from it. So far from it, that a very little portion of reason or imagination might, in a very little time, shew you twenty theoretical ways, all leading directly to this grand object. The philosophic mansion might be made, by the most awkward

layer out of metaphysical grounds, the termination of every alley and row in the premises. Nothing easier than this. Besides, (had the matter not been quite so easy), the use of mere reasoning and argument, against reasoning and argument, of the kind described, could have had no other effect, than to give weight and credit to what was fought in this manner to be overthrown. To reason against any thing supposes that there is some reason, or shew of reason, in the thing reasoned against. Now here the *supposition* was equivalent to the *reality*. Even the *chance* of acquiring so great a good, as the political and personal perfection of man, was worthy to be fought through difficulties, evils, and dangers. In one word, (for in whatever point we look at it, the view is the same), no powers of reasoning could wholly overturn the scheme of the political fanatics, or demonstrate its impossibility; in many cases, on the contrary, it would be accredited and supported, and this also in the exact proportion of the reasonings employed against it. As they were multiplied, it would grow. It would not merely vegetate in this soil, but luxuriate. Its pestiferous rankness would cover up and choak every other principle of animation. No way then was left, but to appeal, fairly, boldly, and directly to the heart of man; to study facts, and to bring these facts home, in energy and warmth, to human bosoms; to revive the natural heat which had been iced in the killing frost of the new inhuman

man

man metaphysics ; to restore that alliance of feeling and reason, which constitutes the nature of man, and in virtue of which alone, his conduct can be either pleasing to his maker, or beneficial to his fellow citizens and brethren. But in doing this, it behoved the appeal to be strongly made, and in most forcible language. The metaphysical congelation would not dissolve in the faint rays of a winter's sun. Even the greatest splendor would be inefficacious without real enlivening heat. It was necessary for genius to concentrate all its rays, to descend in " thoughts that glow, and words " that burn," to shine out in full irradiation and strength, with vehemence and ardency ; it was necessary that pathos and sublimity, (that rare and admirable conjunction !) forming an irresistible combination, should advance along the line of reason, to take complete and instant possession of the heart ; while the understanding, recognizing its genuine guides in the natural affections of humanity, controuling and controuled by the moderate and managed use of reasoning wisdom, could thus alone enable the disenchanting votaries of the new system, to throw down the standards of a false philosophy, false to nature and nature's God, and again to unfurl, with steadiness and joy, the banner of real happiness and freedom. This powerful appeal to the hearts and the understandings of mankind, was at last made ; and it succeeded. *The Reflections on the Revolution in France*, broke

the talisman of democracy in this island. It raged and rages. But its great, dreadful, and portentous powers were shaken and crushed.

This effect of *The Reflections*, at the time, is admirably described by Dr. Parr,

“ Upon the first perusal of Mr. Burke’s book, I
 “ felt, like many other men, its magic force ; and
 “ like many other men, I was at last delivered
 “ from the illusions which had *cheated my reason*,
 “ and borne me onward from admiration to assent.
 “ But, though the dazzling spell be now dissolved,
 “ I still remember with pleasure the gay and
 “ celestial visions, when my *mind in sweet madness*
 “ *was robbed of itself*. I still look back with a
 “ mixture of pity and holy awe, to the wizard
 “ himself, who, having lately broken his wand in
 “ a start of phrenzy, has shortened the term of his
 “ forceries ; and of drugs so potent to *bathe the*
 “ *spirits in delight*, I must still acknowledge, that
 “ many were culled from the choicest and *most*
 “ *virtuous plants of Paradise itself*.”

The effect upon the Doctor (and which he mentions as so universal) must, according to his own account, have been exceedingly great. He has not to this hour altogether recovered it. It was of that force and efficacy, to confirm the good ; in many instances to convert the weak, the deluded, and even the bad ; and in all cases to make wickedness itself pause : unless that direct fort, placed by the father of evil beyond the visitations

tations of human feeling. Yet the means still remained of impairing for a time, and of retarding (while they could not be subdued) these powerful and salutary operations. Dr. Parr (in the spirit of self-delusion) appears to have practised on himself; and many others were practised upon, by drugs not culled from Paradise, to forget, or to be deadened to the impression of what had at first seized so strongly upon their rationally convinced and willingly captivated minds. The word was given, and circulated speedily through the democratic host. *Mr. Burke's representations are grand, and sublime, and eloquent, and pathetic; and, THEREFORE, they are not TRUE.*

Immediately this is proclaimed abroad; and the withered and palsied arm of democratic anarchy seems to regain something of fresh vigour. Many men begin to ponder. Our feelings (they begin to say) have been surprised by false facts. Then they recollect that fatal error, which I have now been so long combating. They conclude upon that dangerous and false ground, that imagination here has made realities of fantasies; and the more shocking and dreadful the things narrated are, the more readily, and the more confirmedly, is this conclusion made. The mind, renouncing belief, does not merely rest in doubt. It passes on to absolute incredulity. The former reasonings now return. They are received as friends that had been injuriously and mistakenly dismissed.

To

To all their former credit, they add the weight of grateful amends and reconciliation. Such, with those who do not chuse to inform themselves (without speaking of the democratic partizans), and the number of those persons is great in every nation; such is the effect produced by believing this pernicious and deadly error, that imagination is inconsistent with accuracy of detail and soberness of judgment. It has been the only engine for the upraising of French principles in this country, after their first great overthrow.

It was begun early to be worked. In a small pamphlet without a name, but which I could lay my life was written by Major Scott, (all whose works I have read; as indeed I can read any thing; from the *history of the last fourteen years*, downwards to *Mr. Burke's speech in Westminster Hall, on the 18th and 19th of February 1788, with explanatory notes*) and which pamphlet followed, with the Major's usual celerity, only three or four days after its publication, upon the heels of Mr. Burke's large work; I remember very well in this pamphlet it was said, *that a gentleman who had been in France disbelieved what Mr. Burke said of India, because what he said of France was so untrue; while another gentleman who had been in India disbelieved what he said of France, because what he said of India was so untrue.* This was the purport of the observation; and, I believe, its language. The scope of the pamphlet was to hold out the *Reflections*, partly as the dream
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of a visionary, partly as the invention of a knave. What success it had, I know not.

The Reviews followed in the same line; and, perhaps, did as much execution as Major Scott. By the bye, if the Major did not write that pamphlet, I ask his pardon.

Next came Mr. Paine. He spoke largely upon this matter. It may be worth while shortly to hear him.

The worthy gentleman says,

“ As to the tragic paintings by which Mr. Burke has OUTRAGED HIS OWN IMAGINATION, and seeks to work upon that of his readers, they are very well calculated for theatrical representation, where facts are manufactured for the sake of show, and accommodated to produce, through the weakness of sympathy, a weeping effect. But Mr. Burke should recollect that he is writing *history*, and not plays; and that his readers will expect truth, and not the sporting rant of high-toned exclamation.”

The other passages of the same sort are too many to be recited. It is enough to say, that Mr. Paine undoubtedly wrought hard in this way; and his labour (I believe) was not wholly in vain. His success (certainly not nearly what he wished, yet) was sufficient to communicate to his virtuous heart no small share of gladness. Without a question, it began to be believed, even by those who had every reason not to be of that faith, that there was

some exaggeration, and perhaps were even some misrepresentations, of facts in the book on the Revolution.

All the other writers of the day held the same language. This general reference is enough, as to them. Dr. Priestley, however, in his "Letters to Mr. Burke," has a most curious note, at the bottom of his seventeenth page. He there says: "I am informed by a gentleman who was at Paris during the whole of these transactions, that there is *no truth at all* in what Mr. Burke says of the Queen's bed-chamber being broke into, or the centinel killed. Nothing of the kind, he says, was ever heard of till a considerable time after the event, and the report arose from the aristocrats." There is something excessively childish in this; but I dare say it had its effect. As to the truth of facts, the only error ever brought home to Mr. Burke was, that he had mentioned the centinel being cut down, and left for dead, but had not mentioned that (being preserved under a feigned name) he had, in a way little short of miraculous, recovered. Mr. Burke, however, has been guilty of another error, not yet noticed. There were *two* centinels (both gentlemen of family) cut down and left for dead at the door of the Queen's bed-chamber. I shall mention only one other instance of the means used to depreciate Mr. Burke's facts.

It is even my friend who has trod this ground.

Sorry

Sorry I am he ever set his foot upon it. But I must follow him where he leads. He has said.

“ Of the senate and people of France, his (Mr. Burke's) language is such as might have been expected to a country which his *fancy* has peopled only with plots, and assassinations, and massacres, and all the brood of dire *chimeras*, which are the offspring of a PROLIFIC IMAGINATION, goaded by the agonies of ardent and deluded sensibility.”

And in another place he still says.

“ No series of events in history have probably been more widely, malignantly, and systematically exaggerated than the French commotions. An enraged, numerous, and *opulent* body of exiles, dispersed over Europe, have possessed themselves of every venal press, (by the bye, does my friend know of any press that is not venal?) and filled the public ear with a perpetual buzz of the crimes and horrors that were acting in France. Instead of entering on minute scrutiny, (my friend, you see, has the disease of the age) the importance of which would neither expiate the tediousness, nor reward the toil; let us content ourselves with opposing one general fact to this HOST OF FALSEHOODS. *No commercial house of importance has failed in France since the Revolution!* How is this to be reconciled with the tales that have been circulated? As well might the transfers of the Royal Exchange be

“ be quietly executed in the ferocious anarchy of
 “ *Gondar*, and the peaceful opulence of Lom-
 “ bard-Street flourish amid *bordes* of *Galla* and
 “ *Agows*. Commerce, which shrinks from the
 “ breath of civil confusion, has resisted this tem-
 “ pest, and a mighty Revolution has been accom-
 “ plished with less commercial derangement than
 “ could arise from the bankruptcy of a second-rate
 “ house in London or Amsterdam. The manufac-
 “ turers of Lyons, the merchants of Bourdeaux
 “ and Marfeilles, are silent amid the lamentations
 “ of the Abbé Maury, M. Calonne, and Mr.
 “ Burke. Happy is that people whose commerce
 “ flourishes in *ledgers*, while it is bewailed in *ora-*
 “ *tions*, and remains untouched in *calculation*,
 “ while it expires in the pictures of *eloquence*.
 “ This unquestionable fact is, on such a subject,
 “ worth a thousand arguments; and, to any mind
 “ qualified to judge, must expose in their true
 “ light, those execrable fabrications, which have
 “ founded such a *senseless yell* through Europe.

This is not the place to examine either the au-
 thenticity or the consequences of *the unquestionable*
fact; nor to remark upon how far *knowledge* can
 be attained without *inquiry*. Neither can I wait
 to consider my friend's *benedicite* upon those whose
 ledgers are well kept; nor whether any such things
 as ledgers, or the method of Italian book-keeping,
 were known among the followers of Waragna Fa-
 fil. Only, in both the passages I have quoted,
 the intention is evident to hold out the Reflec-
 tions

tions as a piece of declamation, not a narrative of facts. And, besides, I am sorry (exceedingly sorry) that it should have led my friend so far to forget himself, as to speak (I am not sure but in the very language, most certainly) in what is very like the language of those whom he would be exceedingly ashamed to imitate. I am pretty certain that either the words themselves, or something very near the words, containing this fine *antithesis* between ledgers and orations, are to be found somewhere either in the writings of Major Scott, or in those of a hot-headed Welshman (whose name I forget, but) who wrote most powerfully and copiously against Mr. Fox and his India Bill in the year 1783. I do not mean to say that my friend is a plagiarist; especially a plagiarist of this stamp. But having let down his mind (in this case) to their company, he naturally came also to use their language.

By these means, and by the indefatigable exertions of all concerned, not only a stop was put, for a time, to the farther demolition of the new system, but the tide of democracy began to set in again somewhat to the shore. Perhaps it might have made considerable way, had not the French plunged into those enormities, not more dreadful than what had preceded them; but, owing to many circumstances, better known. Now (and indeed since that period) I do not know that there is any person (I am sure none has done it publicly)

ly) who ventures to deny, as matters of fact, even the former French murders and crimes. The general reasoning against their existence being now taken away by the force of the more recent facts, nothing remains but the *minute scrutiny*, which my friend thought so unprofitable. And this scrutiny (they well know) would only be the key to the charnel-house of France.

Accordingly, and by these means, and by the measures of a wise, and watchful, and provident administration, (for here even myself will be a p-negyrist)* the spirit of French democracy has again

* Yet I would not be so understood, as if either all the means, or all the instruments employed, met my approbation. I have long ago, and often said to my friends, that my definition of liberty would be (it is certainly its greatest exertion) *resistance to oppression*. I can very easily conceive (I am not sure but I have seen it) that very great oppression may be practised by those whom government may find it necessary to employ as their instruments for suppressing the new doctrines. There are many Englishmen (some of them neither of low rank nor station) that ought to have been born in France. Where it falls within my power (if in any case it can do so) I will resist such oppression. But never shall I commit the folly (of the iniquity I speak not) to let the vengeance over such things brood into a neglect, or contempt of the constitution, or into the unprincipled love of change, which hopes better things from its subversion than its existence. This would be to sacrifice the whole for a part. This would be to establish (as has been done in France) the domination of those very oppressors themselves, (ready always to change with the times) upon whose heads I called for vengeance.

gain vanished from our island. It has fled, and *with it the shades of night*. The natural feelings of mankind have been again united with their reason; never (I trust) to be disjoined. Nor will I appear to have gone from my subject, while in examining the dangerous and futile maxim upon which they have been so often separated, I have proved incontestibly that it is founded in error, and leads to destruction.

I said, I was to produce only one other example, of the highest imagination being united with the greatest knowledge and judgment. That example is Montesquieu.

I do not need to speak of this great man at any length in this view. He comes to be considered in another view, as the great feudalist and antiquary of France. In following my subject, in this respect closely, and explaining what he has written on the constitution of his own kingdom, I shall have held him forth sufficiently as an example to overthrow that error, which I have combated; were it yet to be overthrown.

Montesquieu has placed the feudal history and antiquities of France, in the two last books of the *Spirit of Laws*; in the eight and twentieth book; and in the nine last chapters, that is, from the twenty-second to the end, of the eighteenth book. This separation of the parts neither arises from caprice nor confusion; neither does any confusion

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arise from it. He who reads them will find the order is natural.

I am here to give, in a very abridged (but, I hope, in a perspicuous and satisfactory) manner, his theory of the constitution of the French monarchy, such as partly it stood, and as wholly it might have been repaired, in our days.

What is said in the conclusion of the eighteenth book (which is intituled, *Des Loix, dans le rapport qu'elles ont avec la nature du terrain*) concerns some explanations of the Salic law, and some remarks on the freedom enjoyed, and the strong spirit of it which existed, among the antient Germans, whose tribes afterwards conquered and held France. It is not necessary for my purpose to give any further account of these (in themselves very interesting and instructive) chapters.

The twenty-eighth book treats of the origin and revolutions of the civil (that is the municipal) laws among the French. Under the first race of the French monarchy, France was governed by the Roman law, and by the different codes of laws established or published among the different tribes of the barbarians. All these laws of the barbarians were personal. The *Frank* was judged every where by his own law; and in the same manner the *Burgundian* and the *Visigoth*. The *Roman* too (under which name were comprehended the former inhabitants of Gaul) was judged by his own, that is, by the Roman law. Among
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all the various barbarian tribes, with only one exception, the Roman law (of which the authentic and received authority was then the *Theodosian code*) not only preserved its influence; but, though postponed in name to the barbarian laws, was adopted in its spirit, and also its regulations, in not a few of their institutions. Among the *Franks*, however, and in that part of Gaul held by them, the Roman law was retained only by the churchmen, and lost among all the other orders. The laws of the *Franks* (unlike to those of the other barbarians) made great distinctions in favour of those who lived under their own institutions, and in exclusion of those who adhered to the antient laws. Every body, therefore, was in haste to put himself under the protection, and to gain the privileges, of the laws of the Franks. The church alone had no occasion for this. The barbarians early adopted Christianity; and, particular laws giving them particular immunities, it was not necessary for them, in this view, to exchange the laws of their old and Christian civilization for those imported by the conqueror.

Accordingly the kingdom of France, by this means, came very early to be divided into the countries of the *written and unwritten law*, or the *pays coutumier* and *pays de droit écrit*; distinguishing originally (and in a very great measure all along) the provinces which were governed by the Roman law, and those which were under the laws

and customs of the barbarians. It is probable that this obtained at an earlier period than we have any record subsisting; but *the edict of Pistes*, in the year 864, in the reign of *Charles le Chauve*, makes express mention of this celebrated and important division.

This was after the times of Charlemagne. Under his weak and ignorant successors, the monarchy of France went on rapidly to ruin. The succeeding barbarity, the intestine wars, the foreign invasions, plunged the kingdom in darkness and confusion. The original laws of the barbarians, as well as the Roman law, were, in a great measure, lost. Local customs, the judicial combat, and all the other strange institutions, which for a considerable period governed Europe, effaced in France, if not the memory, at least the authority, of the older laws.

That neither the Roman law, nor the old laws of the barbarians, were wholly lost, is certain. In the progress of time, St. Louis came to be the legislator of France. The compilations of Justinian were translated by his order. Hitherto the Theodosian code had been retained in name (yet mention is made, in the capitularies of the Second Race, of Justinian's collection) but it had been retained in name only, and through attachment to ancient usage. No traces of it, after the reception of the later body of the Roman law, appeared in the kingdom. The *Corpus Juris* was ordained to be taught,
by

by the authority of Philippe-le-Bel; and this system was received, as clothed with the direct authority of law, in the *pays de droit écrit*, and, though not having the express authority of law yet, as *written reason*, in the *pays coutumier*. As to the more national laws themselves, (that is, the laws introduced by the several conquering tribes who had parcelled out Gaul into those divisions, which afterwards became the kingdom of France) these likewise were restored or repaired. *The establishments of St. Louis*, the treatises of *De Fontaines*, *Beaumanoir*, and other practical lawyers, with the great accessions of legal knowledge that came forward in succeeding times (the *droit coutumier* itself, though still so called in contradistinction to the Roman law, being now committed to *writing* and firmly established) completed the fabric of the French municipal law. And in this manner nearly, it stood in our days, before the commencement of this Revolution.

Such is the general view, illustrated with wonderful genius and learning, given by Montesquieu in this book, of the legal or civil institutions of the French monarchy. If it be not unbecoming in me to say any thing, I would say that my own researches lead me to agree in every thing with what is here laid down by this great man; and, without any research on the part of others, he is so strong in reason and proofs himself, that he must be a bold or a foolish man, who should not at once

yield to them. It is truly astonishing, with what ease this sublime and vigorous genius advances, his course straight onward, through all the difficulties and darkness, all the stops and passes and obstructions, of the most perplexed, most impracticable, and least frequented paths, of the old legislation of Europe, and of his own kingdom.

It is plain from this account of the civil laws of France, that her jurisprudence was similar to that of the other European nations; that the laws regarding private property and the rights of individuals, or of bodies of men, were drawn from the same sources, and founded on the same maxims, as in other countries; and that if in many respects they needed simplification, this is no more than what is required (and by salutary statutes not unfrequently done) in the other kingdoms; and which had been done, and was doing, and was evidently still more to be done, (I speak antecedently much to the times of the Revolution) by men ardent in, and fitted for the duty, among the French people. There was no just cause of discontent could exist on account of their civil constitutions. We, neither in England, nor in Scotland, ever thought of rebelling, in order to do away the remains of feudal oppression, (oppression, only because most of its antient institutions, and all its antient virtue, was gone); nor were the acts of Charles the Second in England, or of George the Second in Scotland, by which
these

these oppressions were removed, brought about in any other way than by the quiet means and peaceable views of legislative improvement.

Perhaps some persons may say, or think, that the great prevalence and authority of the Roman law in France, was an argument against the freedom and justice of their national jurisprudence. But such persons do not consider that the Roman law is universally received, and has in fact the greatest authority, in every country in Europe. In Scotland it is the common law of the land. In other European kingdoms, (whose municipal institutions are reckoned very favourable to justice) it is the only received law ; either in its matter or in its spirit. Even in England (without speaking of the particular courts, where it is acknowledged as of direct authority) its general influence is exceedingly great. Once it had in England the same establishment as elsewhere. The establishment is gone ; but not the authority. It is still held there (and, till our natural principles and acquired learning of justice be wholly changed, must be held) as of the highest influence in every system of law, as a body of *written reason*. Such persons also do not consider that the Roman law (in the compilations of Justinian) is in fact the law of the Republic ; drawn from sources nearly as antient as the first and second Punic wars. It went back thus far, as a science publicly taught. In point of mere study it may be traced up to the earliest ages

of the commonwealth. It would be a long history to enumerate all the causes which raised the science of jurisprudence to such dignity in Rome; to recount all the great names who, in the course of centuries, enlarged its boundaries and increased its estimation and importance; and who, while they cultivated jurisprudence, were in other respects the stay and ornaments of the state. Many great men flourished before them: But from Servius Sulpicius, down to Ulpian, Papinian, and Paulus; who sacrificed to jurisprudence, equally with Sulpicius, on the altar of the Republic; no such succession of men, as the Roman Jurisconsults, has ever been seen (nor but for peculiar causes could have been then seen) in the records of the world. Their jurisprudence was manly, enlightened, and free; and it is the jurisprudence of these men (and of them alone) that is collected in the Pandects.

So far as the Roman law is taken for the administration (or the rules laid down by some Emperors for that administration) of the corrupted Roman government after the time of Augustus, I have nothing to say to it. Every body knows that it was a shameless tyranny. But this tyranny was not countenanced by the Roman jurisprudence. The famous *Lex Regia* (about which so much nonsense has been written and spoken, and now in modern Europe for so many hundred years) formed no part of the jurisprudence of Rome. It was part (and it was no more, even as the story is told against it)

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of the corrupted *political constitution* of the empire ; although it produced very few corrupted political effects. The jurisprudence of Rome had here fairly the mastery. The rescripts and the *Placita* of the Emperor generally proceeded upon the advice of the Jurisconsults ; and while the Roman people had surrendered their legislation into the hands of the Prince, the spirit of the antient jurisprudence yet bound up his hands from evil. It was this *Lex Regia*, brought forward as a bugbear, that first frightened the people's minds in England, and then made them hoot the Roman law from their country. At the same time I am far from denying that wicked men displayed also their ignorance, by asserting that an English King was by the Roman law absolute over his subjects. I certainly should have made no complaint, had the option been betwixt the banishment of the Roman law and the reception of such a principle.

It is, therefore, a clear point, and in every way such, that the jurisprudence of the French monarchy was similar to that of the rest of Europe, and to our own ; and that where it was defective, defects might be supplied, and where parts were to be taken away, they might be taken away, not only without the ruin, but to the safety, of the fabric.

The last book of the *Spirit of Laws* but one, regards the theory of the *feudal laws* among the Franks, in their relation with the *establishment of the monarchy*.

The

The *Visigoths*, the *Burgundians*, and the *Franks*, were the conquerors of Gaul. The first seized upon the southern provinces. The Burgundians established themselves in the east; and the remainder of the country became the portion of the Franks.

The Visigoths and Burgundians had settled in many places in Gaul, with the consent or with the unwilling permission of the Romans. Their shares of the territory, (which came to be given them instead of donations of corn) were, accordingly, often fixed, by conventions betwixt them and the Emperors, or by agreements with the provincial magistrates in name of the Emperor. This was not the case with the Franks. They conquered; and held what they conquered by the same right they obtained it; nor was there any division of the lands with the old inhabitants.

These old Roman inhabitants, however, under all the conquering tribes, retained their antient ranks, and enjoyed their antient immunities. Where the partition of the lands took place by agreement, the barbarian tribes (yet mostly in the shepherd state) received the chief share of the lands, (generally two thirds) while the Roman or Gaul had the chief share of the slaves; of which only a third went to the barbarian settler. The plough required less land and more labourers. The Burgundian or Gothic shepherd wished for spaces of pasturage, and was satisfied with the few
 slaves

slaves necessary to protect his flocks. With regard to the forests, the divisions were equal, because the wants and the situation were equal. And thus the nations coalesced.

The Franks, with a different career, had the same moderation. There was no formal division; but they occupied no more lands than their wants required. What would they have done with them? says Montesquieu. The question is proof; even were there not facts. And the Salic and Ripuarian laws shew to the first glance, that the natives lived among the Franks in as little subjection as among the other barbarians.

Natives and settlers, all had the distinctions of rank, and of personal or political state; and all retained them. The Romans had slaves; and so had the barbarians. Their ancestors in Germany had them centuries before; and the institutions of their domestic slavery are recorded by Tacitus*.

The

* Tacitus used to be of great authority in France; and especially among the *philosophers*. He was the idol of Rousseau, and of his persecutor Jean le Rond; by the (then) courtesy of France, styled D'Alembert. He is of some authority, I suppose, too with the *élève* of this last; the algebraist Condorcet. And he will long continue to be of authority with men, much their betters. What he says in concluding his account of the domestic slaves among the Germans, deserves, in point of fact, great attention. The remarks upon the fact are natural enough; and might have been

The barbarians had nobility, and gentry, and freedom ; and so also had the Gauls and Romans. As to other matters, the lands of the barbarians paid no tribute or tax ; and the lands of the conquered natives soon had their imperial taxes changed into feudal military service.

In the voluntary companions of the Princes, (the *comites* of Tacitus, concerning whom he speaks so highly) and who followed them in all their enterprises, Montesquieu discovers those orders of men, who known under different names at different times, formed afterwards so considerable a portion of the French monarchy. The Salic law knew them under the name of *homines qui sunt*

been made by others. Made by him their authority is still greater.

After describing the slaves, he says : *Liberti non multum supra servos sunt ; raro aliquod momentum in domo, numquam in civitate, exceptis dumtaxat iis gentibus, QUÆ REGNANTUR : IBI ENIM ET SUPER INGENUOS ET SUPER NOBILES ASCENDUNT : APUD CETEROS IMPARES LIBERTINI LIBERTATIS ARGUMENTUM SUNT.*

It is needless for me to make any remarks, either upon the fact recorded, or the conclusion made by Tacitus. Only the people of *equality* who rule in Paris over the nobles and gentry (if any such remain) would do well to consider it ; or others would do well to consider it for them. I do not mean for the purpose of mending their morals, (that will neither be done here nor hereafter :—yet I ought not to limit the goodness and mercy of God !) but to confound their theories.

By this passage of Tacitus, it appears, that the Germans, even in his day, had both a nobility and gentry.

sunt in trufte regis ; in the *forms* (or, as we would call it in Scotland, *style-book*) of Marculfus, they are called *antrufions* of the king; from a word (*trew*) ftill preferved in Scottifh orthography, and of moft common ufe in Englifh language ; by the firft hiftories of France they are named, *Leudes* and *fideles* ; and in the after ages (as in different relations of the fame character) they were the *vaffals* and *lords* of the later hiftorians. The property and poffeffions of thefe *leudes* (their moft common name in the firft times of the monarchy of France) were, according to the various authors and periods, termed *fifci* or *fifcalia*, (thus they are in Marculfus) and afterwards, *benefices*, *honours*, *fiefs*. And thefe poffeffions were originally temporary, and fubject to recal at pleafure. They were held by the tenure of military fervice ; fuch as the *comites* had (according to the account Tacitus gives of them) performed to their chiefs or princes in Germany of old.

But another order of men alfo gave military fervice. Thefe were *les hommes libres* (" homines " *liberi*") Franks, Romans, and Gauls, who neither poffeffing *benefices* or *fiefs*, nor being obliged to cultivate the foil in a ftate of domeftic fervitude, poffeffed as *freemen* the lands called *allodial*. They were led (according to their diftrict) to the war, under the authority of an officer, who was termed the *Count* ; of great military command as well as civil authority ; and who had subordinate

to himself certain officers, styled *vicarii* and *centenarii*, who conducted the freemen of their respective divisions. These *centenarii* were so called from being at the head of the *centaine* or *bourg*, the freemen of which were named *compagenses*; and which divisions answered exactly to the excellent and so much admired institution of the *hundreds* in England.

This matter makes me leave Montesquieu for a moment. It is thus clear that France had the same free and famed institutions, which are so much and so deservedly the boast of English patriotism. Far be it from me to depreciate, far even not to glory, in these monuments and records of old renown. Yet "an overdone style of indignant panegyric" has long been current on these matters. I have seen one book (I believe there are many of the same kind), which has for a title, *Lessons to a Young Prince*, in which the reign of Alfred, the constitution of our government in his time, and the political and civil regulations made by that truly great man, are praised (and who would not praise them? though not so praise them) with the evident design of representing the constitution, as it now stands, to be not only a degeneracy from this purity and perfection, but viciously and incurably its opposite. I do not mean (at least not here) to enter into any discussion of this subject; and certainly no where in the line of opposite argumentation with these pretended political

cal antiquaries of the day ; whose erudition and logic are (as they should be) nearly upon a level with their good faith and intentions, and with each other. But it is certainly worthy of observation in passing, that institutions of the same sort with those so greatly extolled, were known at a still more early period in the kingdom of France. These divisions were known among the Franks, and established by their kings, so early as the year 595, in the reigns of Clothaire and Chilbert. Our illustrious lawgiver and hero, in a later age, only imitated their antient institutions ; nor does he appear to have thought it any reproach, in forming a constitution for his people, to imitate or adopt what had been received or introduced in other countries and times ; or to be wise by the wisdom of others, a thing so contrary to the spirit and to the practise of modern (from the poverty of language I must give it the name, of, yes, modern) legislation. I now proceed with Montesquieu.

There was a third class of men who gave military service. These were the vassals of the clergy. Altogether, the feudal militia was threefold. The vassals of the king (the *leudes* or *fideles*) who had under themselves also other vassals ; the vassals of the bishops and of the other clergy ; and finally, the freemen. Such were the divisions and orders of men, and such was the military strength of France, in the first times of its monarchy. The king,

king, more peculiarly the head of his own vassals, and who in the field led them to battle and victory, was the head also of the nation; but of which the several orders acknowledged at the same time more immediate leaders, under the authority of the sovereign as the chief of the state.

Those who had the right of leading to war possessed likewise the right of administering justice. This union of the judicial and military power was not (what it might at first view appear) an oppression or grievance to the people. The chiefs never judged alone. They had in all cases an *assise*; and a jury of twelve men for deciding causes was an institution coeval with the French monarchy. It had its origin in the forests of Germany, and was not lost or impaired among the conquerors of Gaul.

With regard to taxes, or public or fiscal burdens, they were almost none. The furnishing of carriages on certain public occasions, was the principal burden the people had to support; and with regard to this, and any other similar matters, there were laws, and strictly executed, for preventing all malversation.

According to the revolutions that happened in the progress of the fiefs, and in conformity, at the same time, with the usages and former institutions of the barbarians, their judicial system, in its territorial exercise, assumed at different periods new aspects, though it still retained, and all along, the
original

original features and cast. There is no necessity of following or marking either its variations, its sameness, its stability, or progress.

Among the different orders of the state, there was a distinctive, but not an exclusive nobility; whose origin was lost in the obscurity of old times; and before the conquerors of Gaul had issued from their forests. This nobility supported, without being subservient to, the throne; and they were raised above the people without oppressing them.

This was the *establishment* of the French monarchy.

In the last book of *The Spirit of Laws*, Montesquieu considers the feudal institutions among the Franks, in their relation with the *revolutions* of the monarchy.

The minds and the manners of the Franks were not of the same excellence with their political and civil constitution. The description given of them by Montesquieu is abominable. They perpetrated murders (he says) in cold blood; and put to death those who were accused, without even hearing them. In the midst of these crimes, and of that anarchy, which was partly their cause, and partly their consequence, as the royal power became gradually enfeebled, that of the officers styled *Mayors of the Palace*, grew proportionally strong; till at last this officer engrossed all the authority of the crown, and one of them, to transmit, though it did not increase, his power, seated himself securely on the throne of France.

The first Mayor who laid the foundations firmly, of the future eminence and power of this official name, was *Warnachaire*. He obtained from Clothaire the Second, to hold his office *for life*. By this, more was effected not only than the King knew or foresaw, but more, very probably, than the Mayor intended. He had formerly been the Mayor of the King. He was now the Mayor of the nation. The King formerly named him. The nation now named him. The King's minister governed the King; and the King's subjects elected the King's minister.

This abasement of royalty can be traced historically, and in the order of events. It arose from, and proceeded in, a train of affairs, sufficient both to give it rise, and to accelerate its progress. But there were earlier and internal causes of very efficacious operation too; and which Montesquieu has developed.

The Germans in their woods had hereditary kings and elective chiefs. *Reges ex nobilitate, duces ex virtute sumunt*. The first Franks conquered Gaul under their kings; and they, accordingly, thought of no other military chief than him, under whom they had encountered death and obtained victory. After the settlement, the military ardour of the kings ceased. Thibault, the son of Theodebert, a young, weak, and sickly prince, was the first king of the Franks who preferred the palace to the field. He refused to march into Italy against the Eunuch Narfes; the celebrated general of Justinian;

tinian ; whose toils, and renown, and victories, were once to have been dictated by the Epic Muse, to her favourite Tasso. The Franks recalled to their memory the German customs ; and chose two chiefs to lead them in the war. The military sword fell from the hand of their Kings ; and, with the command of the national army, the Mayor of the Palace obtained the command of the people and the throne. The Kings were in name the chiefs of the army ; but they were allowed to have the name, only because they wanted the power.

A revolution, as bloody as it was extraordinary, marked the first rise of the dominion of the Mayors. It ended in the dreadfully cruel death (in the year 613) of the celebrated Queen *Brunebault* ; who, after a reign which adorned France with monuments that remain (or lately they remained) to this day, was destroyed with circumstances of cruelty, unexampled in any country but that inhabited by the French.

Warnachaire was the soul of the conspiracy against *Brunebault*. He received the mayoralty for life.

After the death of Warnachaire, the office ceased for a time. But the feebleness of royalty soon demanded that prop ; and the nation persuaded itself, or was persuaded, that it was more free under an elective mayor than a hereditary king.

The kingdom of the Franks, sometimes more united, and sometimes more detached, was generally,

rally, as it began to fall into decay, parcelled out into the three separate governments of Austrasia, Neustria, and Burgundy. The victory of the Mayor Pepin, over Theodoric and his Mayor, and that of Charles-Martel afterwards over Chilperic and his Mayor, in which Austrasia twice triumphed over Neustria and Burgundy, raised the mayoralty of that government over all the other mayoralties of the Franks, and the family of Pepin, in which that mayoralty had become as it were hereditary, over all the other French families. The kings of the Franks became more degraded than ever. They were reduced to a condition almost as low, as that of the king of France by the constitution of the first National Assembly. The resemblance indeed is so striking that one would think, in the picture drawn by Montesquieu, of those early times, the very situation of Louis the Sixteenth was described as under the *ci-devant* constitution. "The victors were afraid" (he says) "left some leader of weight should get possession of the person of the kings, with the view of exciting disturbances. They confined them in some royal palace as in a kind of prison. Once a year they were shewn to the people. In this prison they gave their sanction to laws, but they were the laws of the mayors; they gave answers to ambassadors; but they were the answers of the mayors. It is in those times that the historians speak of the dominion of the mayors over the kings, who were in fact their subjects." The condition

condition of the French King, by the constitution of the first assembly, was precisely this; if indeed it was so tolerable. The Mayors of the Palace were better men than the Mayors of Paris; and the annual exhibition was at least externally honourable; and not a savage insult, like the pillory erected for the yearly humiliation of their King and Queen, before the whores and banditti of Paris, on the infamous fourteenth of July.

The attachment of the Franks to the family of Pepin proceeded to such extravagance, that they elected as Mayor one of his grandsons who was still an infant; and, to crown this delirious act, they made this infant the guardian of a person, who, besides the name of Dagobert, had also that of King.

The attachment of the Franks to *royalty* was as great as ever. They only knew nothing of the *person* of their king. In this respect also they differed from their descendants of this day.

Nothing, accordingly, was easier, while the royal acts were only visible in the Mayor, for that officer to assume, in the progress of time and events, with the royal authority, the royal name. The mayoralty and the royalty were at last united in the person of the Second Pepin, the son of Charlemartel. Yet the grandson, in fact, enjoyed no more power than the grandfather had done. King Pepin was a man of no more consideration among the Franks than Duke Pepin had been. From the moment of the victory of this last over the Mayor of Theoderic, his family became the reigning

ing family, and the line of the Merovingiens was no more. The coronation of his grandson was the addition of a ceremony, and the removal of a phantom. No new authority was acquired ; nor any thing changed in the government of the nation. Only, at the beginning of this second (the Carlovingian) race, as the *Mayor* had been elective, so the *crown*, though hereditary in the family, was elective in the person.

Montesquieu has distinguished most admirably betwixt the Revolution which established the second race, and that which placed the third race on the throne of France.

“ When Hugh Capet was crowned King, in the
“ beginning of the third race, a greater change
“ took place, because the state passed from anarchy to some form of government ; but when
“ Pepin mounted the throne, the state only passed
“ from a government of the same kind to a government of the same kind.”

“ When Pepin was made King, he only changed his name ; when Hugh Capet was made
“ King, there was a change in the thing itself ;
“ because a great fief united to the crown, put an
“ end to anarchy.”

“ When Pepin was made King, the title of
“ King was united to the greatest office in the
“ state ; when Hugh Capet was made King, the
“ title of King was united to the greatest fief in
“ the kingdom.”

These

These distinctions are as clear as they are instructive.

Pepin was a great prince. His successor Charlemagne was a much greater. The portrait of Charlemagne by Montesquieu, is what none but the one could draw, and none but the other deserve.

No particular details of the government of Charlemagne are given in the Spirit of Laws. It was not in the business of the work. They will be given afterwards from the book of the Abbé de Mably. Charlemagne found France and left it a mixed monarchy.

There was a singular circumstance (and it has been mentioned) as to the royalty of the second race. The people were bound to the family, but not to the individuals of the family. They might choose the individual themselves pleased. They had the right of election in the family; or rather they had (more properly speaking) not the right to elect, but the right to exclude.

This right of the people is established and acknowledged by express public documents which still exist. But in the matter of fact, the declared will of the ancestor generally received the sanction of the people; and as the crown was by *right* hereditary in the family, it also descended in *fact* to the heir named.

Charlemagne was not merely King of France. Great part of Europe acknowledged his sway. He recovered the dominions, and received the title of

Emperor of the West. His immense territories were, at his death, portioned out among his children; who were not like their father. Louis le Débonnaire reigned in France. His reign was weak and full of troubles. His children, by their quarrels and wars, enfeebled their authority and the state. The several orders in the community became the declared enemies of each other. The government was inadequate to the protection of the subjects. A weaker prince succeeded, as if by regular and fixed rule, to a prince weaker than had gone before him. Every day there was less obedience; and every day there was more oppression. To complete the miseries of France, the Normans arrived on their coasts; and they ravaged and murdered as if they had been natives. The most powerful chief in the kingdom was Hugh Capet. The crown passed into his family; and his descendants, from that period, have been acknowledged kings of France, till the 5th of October 1789.

Under the third race, the crown was not only hereditary in the family, but the right of primogeniture, now completely established, ascertained a fixed rule of descent. Many of the evils which afflicted France, had, in the enfeeblement of the monarchy, in the later times of the second race, proceeded from this right not being established.

With the accession of Hugh Capet, Montesquieu concludes his theory of the feudal law in
France,

France, and of the antient constitution of that kingdom; now become in all respects an established feudal monarchy. In following the progress and changes of the government, I have not stated what happened as to the progress of the fiefs. Montesquieu has explained this important matter in the same book; and the whole constitution of France appears from it most clearly.

Marculfus wrote his *Book of Styles* in the times of the Mayors. In it are found forms of feudal grants by the kings for life, and also to heirs. Towards the end of the first race, therefore, some fiefs went to heirs.

The feudal vassals of the king enjoyed privileges unknown to the allodial proprietors. So early as the times of Marculfus likewise, it appears that the allodial proprietor was eager to get his free property changed into a feudal holding. The form of a written deed of this sort, is the thirteenth of his first book. The free estate was surrendered into the hands of the king, and received from him again as a fief.

If this was done under the first race, it was done much more in the decline of the second. Every man needed a protector, and hastened to find him. Security (such security as could be found) was to be found only in the body of the feudal nobles. The allodial proprietors entered into the feudal monarchy, the political monarchy being now no more.

Before this change into feudal tenure, the allodial proprietors gave military service. Charle-Martel, accordingly, in the beginning of the second race (for without the title of King he yet belonged to this race) gave the lands of the church to his victorious followers, (who had enabled him to seize them) in allodality as well as in tenure. In his times allodality was not wholly unprotected or insecure. The change into tenure was afterwards almost universal. All the grants of land by Charle-Martel were for military service.

It is necessary to speak still farther of Charles-Martel. His times form an epoch in the French annals. He was the son of Duke Pepin, the father of King Pepin, and the grandfather of Charlemagne.

It has been formerly mentioned that the freemen went to war under their Count, and the vassals under their Chief or Lord. These two orders of men balanced each other. However they were orders likewise completely distinct. The freemen even (so much was this the case) were not capable of holding a fief.

But in the times of Charles-Martel, a sort of revolution happened in the feudal institutions. The wealth of the church was distributed to his soldiers; and the grants (as has been already said) were partly allodial and partly in tenure. The nobles, who had fiefs already, might (as

Montesquieu thinks) find it more advantageous to receive the new grants as allodial. The fiefs they had before, gave them all the dignity and security that fiefs could give. The freemen, on the other hand, received the feudal grants with rapture; and thought their burdens nothing when they looked at the power and protection which fiefs, in the circumstances of the times, conferred or secured.

Montesquieu will not say whether the fiefs of Charle-Martel were for life or in perpetuity. But he knows (and he pretends to know no more) that in the times of Charlemagne, and immediately after Charlemagne, there were fiefs which went to heirs.

At all events, the times of Charle-Martel appear to be those in which the freemen became capable of holding feudal grants.

The reasons for this are convincing; but there is no need to place them here.

But while the freemen could thus hold fiefs, the militia of the Count was not weakened. The allodial proprietor furnished his quota to this service, according to a settled rate. His allodial property, too, still continued under the immediate power of the King, by being under the jurisdiction of the Count; the King's officer. He depended in no way upon his feudal superior, or lord, but in respect of his fief; and if his fief was held
of

of the King, he was thus under the King's power doubly. And thus matters stood for some time.

The successors of Charlemagne were giving daily proofs how little they deserved to succeed him. The three brothers (sons of Louis le Débonnaire) reigned and fought together. At last a hundred thousand Frenchmen fell in the battle of Fontenay. After the battle, the brothers made a treaty, in which the French monarchy fell.

After this treaty, and by it, (*Conventus apud Marfham*, in the year 847) an allodial proprietor might surrender his allodial property, either into the hands of the King, or of any other superior Lord, at his own choice. Formerly the free proprietor might, besides his free property, hold a fief either of the King, or of another Lord. But now the free property itself was to be changed into a feudal holding; and it might be surrendered in order to be held of a subject. Thus those, who as freemen under the jurisdiction of the Count, had been simply and entirely in the power of the King, might become (as most of them did become) the vassals, and in the power, of the King's subjects.

As allodial property passed to heirs, it retained this quality when it became feudal. A capitulary of Charles le Chauve, one of the three brothers, ordains this even to be law. The allodial proprietor was thus placed beyond the King's power doubly. Besides, what was taken from the King was not
merely

merely a diminution of his power, but an absolute increase of the power of others.

This change in allodial property was accompanied by a change in the fiefs.

By a capitulary under King Pepin, it appears that subinfeudations were made in his time. But these *arriere-vassals*, in fiefs held for life, lost their right upon the death of the principal vassal; and in grants at pleasure, when the King recalled the grant, *their* rights were taken away also. The *arriere-vassal*, having no permanent connexion with the vassal in chief, returned again under the power of the King. The *arriere-fief*, not being a dependence of the fief, but the fief itself, returned under the power of the King also. But this was changed when fiefs became hereditary; and when *arriere-fiefs* too became hereditary. What was held before immediately of the King, was now held only mediately. And in the progress of subinfeudations, the distance from the King's power increased proportionally.

The treaty of the three brothers augmented the evils hence arising to the crown; and it introduced more.

In former times, and under the vigorous government of Charlemagne, the military force of the kingdom was, under the sanction of heavy pains, assembled at the summons of the sovereign to meet the enemy; and if there was no example of punishment, this was because there was no example

ample of disobedience. The three brothers, by their treaty, declared, that the nobles should not be called with their followers into the field, but in the case of a defensive war. After this, the influence or authority of the King with the nobles wholly ceased. But the military spirit of their subjects did not also cease. The vassals followed their Lords in their private expeditions; and became more and more unconnected with the King. It is easily to be supposed, that the three brothers yielded up the right, by which the nobles were to follow them to battle, with reluctance. It must have been torn from weakness, this abandonment of so great an engine of power; and it rendered that weakness still more feeble. Yet the nobles had the strongest ground of justice (whether grounds of justice were the immediate motives or not) to demand that this antient right of their Kings should be done away. Kings, who only reigned to lead their subjects to perish in the field, in their own domestic quarrels, which desolated the face of France, and in which its best blood was poured out like water for a thing of nought, could, in the day of humiliation, find nothing to oppose to the declaration of their Barons, that the safety and defence of the state itself should alone call them and their powers to battle. This declaration of the Barons continued to be the military law for many ages in France.

Another general regulation took place under Charles le Chauve. The great and powerful office

office of Count was made hereditary. The counties passed to the children of the Count.

The other great offices followed in the same train; and in a short time they and the fiefs also, passed not only to children, but to distant relations. The connexion of the vassals with the crown was every day less, and more remote; and power was visibly falling, and rapidly, to dissolution, and not merely to decay.

I cannot (perhaps ought not to) enumerate all the ways in which the crown was enfeebled. I state the fact, which is beyond contradiction, and is not contradicted; and the chief means, themselves both facts and causes, which Montesquieu has discovered and recorded. A reference to the Spirit of Laws is only necessary for the rest.

The fiefs, like the crown, under the second race, were hereditary and elective. The practice in the one, no doubt, influenced the practice in the other. The succession of the fief was in the family; but the superior might choose the child. This was not the rule in after times.

In France, through the weakness of the government, fiefs became hereditary in that nation (that is, became more or less, and always greatly, in some cases wholly, independent of the crown) more than a century before this took place in Germany; which, equally with France, had been under the sovereignty, and fell to the children of Charlemagne.

In consequence of the same weakness, a stranger

er house disputed and wrested the empire from that family. Charles the Simple formally acknowledged (though with the self-palliation of a ridiculous ceremony) the title of this stranger house to the dominion of Germany.

Thus the crown, through these various events and changes, was a bauble on the heads of the last Princes of the Carolingian line. When Hugh Capet, as the greatest feudal lord, became King of France; it was his feignorial power that supported his royal dignity. As fiefs were in perpetuity; so now was the crown. As perpetuity had gradually established the right of primogeniture in the one, so it was, in the same way, established in the other. The crown was a great fief. And thus, in tracing the progress of feudality in France, we arrive at the same conclusion and time, as in tracing its public administration and government. By the accession of the third race, the power of the crown was restored; and at this period France became a settled monarchy.

And here I am to leave Montesquieu, after first stating the different maxims of public law as to the succession of the crown, in the three different races.

Under the first race, the succession to the throne fell to the brothers in common; and the division made by wrong or rightfully, amicably or by war, in every case weakened, in some nearly destroyed, all the energy of good and settled government.

This

This sort of succession was not much better than election. Upon this was raised (other circumstances too combined) the power of the Mayors; and when that power came to its height, the Mayors succeeded, by the same maxims, to the throne, as they had done, after the nothingness of the Kings, to their office in the palace. The office could not be divided; and the crown was not divided.

In allodial property, during this race, the rule of division among brothers took place likewise. Fiefs granted during pleasure, or only for life, being no object of succession, were no object of division.

Under the second race, matters were in many respects different and the same. The right of primogeniture was not received as constitutional to the crown; nor as legal in the succession of the subjects. But some sort of pre-eminence, and some notion of better right, attended the first born; and under the third race, primogeniture was the law of succession in the monarchy, and of landed property by the civil laws of the state.

The President Hénaut has expressed himself very shortly and clearly on this subject. He says:

“ Sans adopter aucune système sur la succession
 “ à la couronne, il suffira de dire historiquement,
 “ qu’ à l’avenement de Pepin, on vit pour la pre-
 “ miere fois la couronne passer dans une maison
 “ étrangere: Pendant toute la premiere race, elle

O

“ n’avoit

" n'avoit été portéé que par les descendans de Clo-
 " vis, à la verité sans droit d' aïnesse, ni distinc-
 " tion entre les batards et les légitimes, et avec
 " partage ; elle fut possédée de meme sous la
 " deuxième race, par les enfans de Pepin ; mais
 " ainsi qu'il avoit dépouillé l'héritier légitime, ses
 " descendans furent dépossédés à leur tour. En-
 " fin, sous la troisième race, le droit successif-he-
 " reditaire s'est si bien établi, que les rois ne sont
 " plus les maîtres de déranger l'ordre de la succe-
 " sion, et que la couronne appartient à leur aîné
 " par une coutume établie ; *laquelle, dit Jerome*
 " *Bignon, est plus forte que la loi meme, cette loi ayant*
 " *été gravée, non dans du marbre ou en du cuivre,*
 " *mais dans le cœur des François.*"

And in this manner, according to the view gi-
 ven of it by Montesquieu, did the French mo-
 narchy come to be established, after the several
 revolutions through which it passed. He has said
 nothing (for this belonged to the office of an his-
 torical antiquary, and would have been wholly
 misplaced in such a work as the Spirit of Laws) of
 the constitution of France as to the assembly of
 the states, their powers, origin, and proceedings.
 This is a matter fully supplied by the Abbé de
 Mably.

And, accordingly, I shall now proceed shortly
 to state his system.

In some respects he differs from Montesquieu.
 In more respects he confirms what Montesquieu has
 said.

said. Perhaps, before giving the Abbé de Mably's theory, it may be proper to speak of the Abbé de Mably's character.

His authority ought to be unexceptionable to the democratists. I use only the word *unexceptionable* now; a short time ago I should have said revered and decisive. It was once proposed by these men, that his *apotheosis* should be performed; and that the name of the Abbé de Mably should be inscribed in the list of the DEAD MEN DEIFIED, whose worship, in the superstitious irreligion of France, is now to be put in the place of the exploded worship of God Almighty. I cannot positively say, that the wish was not executed. However, I rather think not; at least I do not remember of its being done. He sleeps (as I imagine) yet peaceably in his grave; nor have the democratic resurrection-men untombed his corpse, that it might again be inurned with the canonized bones of Arouet, in the church of Saint Peter and Saint Paul, now thus strangely reconsecrated, at Paris; in this new capital of the new religion of atheism. As the zeal of the new votaries increased, their superstition becoming more dire, could worship only the demons of evil. Accordingly, the bones of the Abbé de Mably, "hearsed in death, have not burst their earments;" nor has his name been consecrated to pollution and infamy, in the temple of French idolatry. He will not be invoked, in the hour of murder, by the assassin who sharpens his knife for

blood. He has escaped the savage devotion of the wooden idol, which, its gigantic sides and limbs filled with human victims, was adored in old Gaul, and is now adored with more than even the old horrid worship, and sated with more than even the old sacrifices, in modern France.

I do not know enough of the Abbé de Mably, to say positively, and upon my word, that he was a good man. But assuredly I know nothing to the contrary. His writings are greatly instructive; and I think that he knew too much to have become a reforming philosopher. Rousseau says, in his *Confessions*, that the Abbé de Mably could not have written the *Social Contract*; and I believe it. Should the Parisians ever worship him, or if any of them yet swear by his name to any of their proceedings; I sincerely hope, and, yes, I sincerely believe, they swear, whether they think so or not,—*per improbatum hæc Jovem!*

Much matter, and matter greatly important, is contained in the “*Observations sur l’Histoire de France.*” I shall touch the principal points, or endeavour to touch them; as I have done, or endeavoured to do, with the *Spirit of Laws*.

I shall first mention those things in which the Abbé de Mably differs from Montesquieu; next those things in which they agree; and, lastly, those things of which the Abbé de Mably speaks, and of which Montesquieu does not speak at all.

He differs from Montesquieu chiefly in some particulars that regard the feudal holdings; their
names,

names, their nature, and their changes. The bottom of the matter is the same in both. What is different follows here.

It is necessary, however, to say that the Abbé de Mably seems often to think he has laid open some great error, where the difference is, in fact, unimportant, or slight, or altogether nominal. But it is not so always. That would be too much.

According to the Abbé de Mably, there were no fiefs under the first race; and he challenges as not only a mistake, but an absurdity, the position of Montesquieu, that among the old Germans there were vassals and not fiefs. Is it not the fief, says he, that constitutes the vassal? And he proceeds to make other remarks not so well founded as this.

The Abbé de Mably gives to the grants of territory, by the Kings of the first race, the name not of *fiefs*, but of *benefices*. And their nature, he contends, were as different as their names.

The only obligation under which the beneficiary of the first race came, by receiving his grant, was, to keep sacred the oath of fidelity, which he had taken before (according to the system of the Abbé de Mably) in order to be admitted into the class of *leudes*. And it seems clear that this oath of fidelity to the King was necessary to be taken by every *leude*, who from this very matter had his other name of *antrustion*; or who was hence said to be *in truste regis*, and bound to true and

faithful service ; in short, to do nothing contrary to the interests of his sovereign. No authority (the Abbé de Mably says) appears in the records of the first race, to countenance the opinion that the *leude*, upon receiving his benefice, bound himself by any new oath, or came under any new obligation, to the prince.

The beneficiaries, therefore, were not feudal vassals. Nor were fiefs and benefices distinguishable only in the duration for which they were held, or in other conditions of the grant ; but from the services which were due by the beneficiary and by the vassal.

The beneficiaries were not bound to military service in consequence of their benefices. All history proves, that to serve in war was no part of their particular duty ; nor was it a burden imposed, or a privilege belonging exclusively to them. Every citizen was a soldier ; and he was obliged to go to war when he was commanded. The beneficiaries did not serve in war because they were beneficiaries ; but they were found in the field because they were soldiers ; as they were soldiers because they were citizens.

This system of the Abbé de Mably appears to be more correct than that of Montesquieu in this matter. Or, indeed, it is the very system of Montesquieu. Montesquieu had said before every thing that the Abbé de Mably says. But he had said (or appeared to say) other things also.

The

Montesquieu does not deny the general obligation to military service. He mentions it even in express terms. The antient Gauls, by the testimony of Cæsar, all followed to the field that leader who seemed most worthy to conduct them. So did the antient Germans, by the testimony of Tacitus. The inhabitants of France were either Germans or Gauls; or they were Romans long practised in the institutions of Gaul; and the French nation under the first race were not in those circumstances, so as either to love war less as an employment, or to find it less necessary as a means of defence. The whole nation therefore (like their ancestors) went to the war.

The freemen too (*les hommes libres*) performed military service. This Montesquieu tells us himself. These freemen, however, though giving military service, were so far from being vassals, as to be the very opposite of vassals. They are stated by Montesquieu as the opposing balance. The performance of military service could not thus well be considered as a consequence of the benefice; but on the contrary, was a consequence of the general character and institutions of the nation. It is certain that the beneficiaries did not exclusively perform military service. This was given by all. It is on the same account to be concluded, that the benefice was neither held under the condition, nor given for the performance, of this service.

In fine, the Abbé de Mably says, that Montef-

quieu has confounded, (by considering as in one view, and comprehending under one name, the institutions of different times) *seignories*, *benefices*, and *fiefs*; and that he has, in other respects, separated things in themselves united.

And the Abbé de Mably complains with some reason, that Montesquieu quotes capitularies of Charlemagne, Louis le Débonnaire, and Charles-le-Chauve, when it should be Gregory of Tours, and some charter or law of the Kings of the Merovingian line.

Not that Montesquieu does not quote these also, so far as they exist; but he quotes the others to prove what these should prove. And he even quotes so very far down as the establishments of St. Louis,

Altogether, the Abbé de Mably, on this subject, says, that the benefices of the first race only gave occasion to Charle-Martel to give those grants of land, under the burden of military service, which were afterwards called fiefs; and that these, making considerable progress by means of the troubles which ruined the successors of Charlemagne, became the general, public, and political law of the nation.

It is a curious enough thing which the Abbé de Mably mentions of the early Franks, in the first race. These rude conquerors had scarcely settled in the country, when they adopted, from the Roman law, what he justly calls the salutary doctrine of *prescription*. Perhaps Mr. Camus may think this an additional argument against the doctrine.

I cannot well say what has made me place this here ;—but I return to my subject.

It may be right to mention the exact point of difference betwixt the Abbé de Mably and Montesquieu. It appears to be this.

The *leudes*, *fideles*, or *antrustions* of the Abbé de Mably, are those, who, for some signal act of courage, or other deed of merit and renown, were drawn out of the common class of citizens, and, being admitted to swear fidelity to the Prince, entered by this means into a higher order, acquired a personal nobility, and enjoyed peculiar privileges. These privileges consisted in occupying a distinguished place in the general assemblies of the nation ; in being intrusted solely with the charge of the public administration ; in forming the permanent council of the state, or that court of justice of which the King was president, and which was a court of appeal from the sentences of the Dukes and Counts* ; in having the Prince for judge in their own differences ; and in a higher composition (offences and even crimes were then so redeemed) being exacted for any injury done to them, than was paid, in like cases, to the other citizens.

The times degenerated ; and the *leudes* degenerated also. The richest or the most supple were admitted into that order ; not, as before, the most valiant and the most noble-hearted. Slaves, just
dismissed

* The Abbé de Mably uses both these names. It is of no importance to my subject to consider that matter.

dismissed from the lash of their master, on whose shoulders the habit of freedom yet sat awkward, were elevated to the dignities of this personal nobility. A javelin or a sword had rewarded the followers of Clovis. The *leudes* of those times, which saw the race of Clovis hastening to decay, received the more solid liberalities of the *benefice* or *fisc*; that is, portions of the domains of the sovereign; and these names, signifying this (the same) thing, and used indiscriminately in the old monuments, are what modern writers have done wrong in confounding with those possessions called *fiefs*.

Thus the Abbé de Mably; and who goes on.—

The *leudes* daily enriched the King; and they daily pillaged the King. They increased his power to share his power. His oppressions were their revenue. He took from others to give to them. The Gaulish *leudes* (the Abbé thinks) were the worst. They knew what the Roman Emperors, or the officers of the Emperors had done, by tradition from their fathers, or some by their own remembrance; and they recommended refined modes of oppression, which the barbarous Frank could neither contrive nor conceive. The Franks had insolence and brutality enough; but something more than insolence and brutality was necessary, and something more was practised. These oppressions, and this injustice of the *leudes*, at last produced an effect, which they did not look for. Some of the chief men of the nation, but at the same

same time not so powerful, nor so well with the court, as the tyrannising leudes, thought they had a title to tyrannise for themselves; and assumed at once independency, and demanded subjection. The patrimonial *seignories* arose, which the lord held independent of all others himself; but to which he subjected (by the same claim of which he complained himself) all his weaker neighbours*.

Some seignories at the same time were, without any question, the fruit of protection on the one hand, and of gratitude on the other.

The word seigneur was the same as *senior*; which last is the name found in the old monuments. It originally signified a leude who, *by his age*, was at the head of the councils of the nation.

The independent jurisdiction of these seignories was at length not only established, but acknowledged.

The horrors of the times, in the decay and ruin of the power of the Merovingian race, are described by the Abbé de Mably. The ferocious vices of Germany, were joined to the base vices the Franks had found in Gaul. They committed, in cold blood, atrocities, which the fury of insanity could not justify. The laws of humanity, and the rights of blood, were violated without remorse.

* Montefquieu holds the seignorial administration of justice to have been a part of the *old fiefs* (what the Abbé de Mably calls *benefices*); and to have been no usurpation, but derived from the German customs of the Franks.

more. No manners even supplied the absence of morals. Perfidy was held in high estimation; and neither kings nor subjects sought to disguise, or put any colour of art on their most dreadful enormities. If it was necessary to assassinate a man, they invited him to a feast. Marculfus has preserved the styles of letters, by which assassins, whose service was needed, were put under the protection and safeguard of the law. The Abbé de Mably has a whole chapter to examine, how the French nation came not to be utterly destroyed in the anarchy of those times.

It was after the death of Brunehaut, in an assembly (in the year 615) held at Paris of the bishops and leudes, (an assembly very different from the old assemblies of the nation, now no more) that the rights claimed by the seigneurs in their lands were finally and fully acknowledged; and the hereditary nature of the benefices established likewise.

At last came Charle-Martel. The Merovingian princes (the last of whom were the nominal Kings of this celebrated Mayor) had alienated their own domains, now in perpetuity, to ungrateful leudes, bound by a general oath of fealty, which they never had fulfilled. Charle-Martel gave benefices of the conquered lands; but on other conditions; for services domestic and military, from his soldiers, now called his vassals; while the possessions they

they held from him as their master, were the same as those called afterwards fiefs.

Upon the death of Charle-Martel, the second race commenced with his son Pepin.

The Abbé de Mably pursues his historical course; contemplates the vigour and policy of Pepin; the wisdom and greatness of Charlemagne; the weakness of Louis le Débonnaire; the ruin of the old government under Charles-le-Chauve; the benefices and counties made hereditary; the rise of the feudal government properly so called; the dismemberment of the empire of Charlemagne; the fall of his house; and the accession of Hugh Capet to the throne of the French nation. He does not say the same things with Montesquieu, on the matters which Montesquieu treats, in this long and interesting detail; for the Abbé de Mably was no copyist. He does not differ (generally and at the bottom) from Montesquieu; for the Abbé de Mably was no caviller. I need not to repeat here, therefore, the history of the second race.

As little do I need to point out the differences betwixt Montesquieu and the Abbé de Mably, as to the legal and constitutional history of the first race. The difference itself, from what I have just said, and the importance of that difference, are both apparent.

From both, the conclusion is evident; that the original constitution of the French government was free; that it was a mixed Gothic monarchy; that in the barbarity of the times, as that constitution

tution was changed, the condition of the state followed these changes, while the people sunk under the evils which the changes produced ; and that the history of the two first races displays at once the calamities and the blessings of stable and vigorous, of weak and fluctuating government. But the chief lesson of all, to the people of France in our days, was the old freedom of their kingdom ; of which they might exclaim, as the noble Padilla did of his renowned native city—*Free from the time of the mighty Goths!* with the resolution to recover that freedom, to preserve it, to transmit it ; the former, with the spirit and the courage of their ancestors ; and the latter, with that wisdom and steadiness which did not belong either to the times of their ancestors, or to their minds, or to their manners ; but which, in the sunshine of the eighteenth century, and in the vigour and energy of the most populous and compact kingdom in Christendom, should now have so peculiarly belonged to Frenchmen. Instead of this, they have, in an age of light and civility, outdone the deeds of barbarity and darkness ; and if any of them have studied the histories of those times, it has been to teach and learn lessons of massacre and blood ; of sacrilege, rapine, and murder ; not to consult at the old oracle of freedom, whose responses were listened to by their ancestors in their forests, and against whose voice they never wholly rebelled, even in the countries of their conquest ; not even then

when their furrows ran with brothers' blood, shed indeed barbarously, but not upon system ; poured out indeed without measure, but not always without remorse ; the blood of vengeance, it is true, often of merciless vengeance, but of vengeance still which was not utterly inhuman ; unlike those who murder in our days, as a matter of common occupation, and whose appetites are glutted hourly with men and women victims, in the human shambles of Paris.

It is a subject this, too afflicting for the mind of man ; and it is necessary to hasten from it.

I have altered my design, in some measure, as to the view of the French constitution, in old times, to be given from the works of the Abbé de Mably. I cannot be so particular as I intended to be, in the view of the government and constitution of France under Charlemagne. I shall state, however, some things concerning it generally. In what I am to mention, (generally also) of the French government and constitution under the third race. I shall, without any reference to them by name, along with the Abbé de Mably, use the other good authorities, some of which I have named, and others which I have not named ; and from which the nature of the French government, during the whole progress of the monarchy, may be, without much difficulty, sufficiently comprehended, by those who at all wish to comprehend it ;

it; or who think that any matters of historical fact are worthy of any investigation.

A Frenchman of the name of M. Garat, published in the *Mercure de France*, of 6th March and 10th April 1784, a *judgment* (as they call it) or *review* of the work of Mr. Chabrit, which I mentioned formerly, upon the French Monarchy and Laws. There were two Garats, elder and younger, in the Constituting Assembly. I know not whether either of them was this reviewer. Neither do I know, whether either of them, (there are one or more of the name) or both, be among the resident murderers in Paris. I should wish not, with somewhat of earnestness; for the review is exceedingly well written.

It is there observed, that the Abbé de Mably has placed, at the beginnings and very foundations of the monarchy, one of those free constitutions, which appear to be the labour and the achievement only of enlightened times; that, at the beginning of the second race, he has placed a greater wonder still;—Charlemagne;—a prince drawn by the pencil of Montesquieu with traits of sublimity, but who appears more wonderful still in the representation of the Abbé de Mably, who has not Montesquieu's pencil. The absolute monarch of the fairest countries of Europe, he calls the nations, whom he might hold in chains, to the enjoyment of their old freedom. In France, before his own subjects, the throne itself does not rise above

bove the majesty of the assembled nation ; the ensigns of royalty are there submitted, like the consular fasces before the Comitia of Rome. To these assemblies of the state, the power is yielded of making laws ; the royal authority is only used to acquire and communicate that information, which is necessary for making good laws. That their deliberations may be free, he does not take upon him to enter within their walls ; or if, sometimes, his presence be necessary, of all his power, nothing enters with him, but the genius and the vigour of his mind. This picture, which might be mistaken for the dream of some *Grecian* or *English* philosopher, is supported throughout by express texts of the barbarian laws.

These are the words (at least nearly the words) of this Reviewer. If he be the same man, who, by being a French legislator, qualified himself to be a French murderer, his testimony of this ancient freedom is more valuable still. If he be not the man, and if he be still alive, I beg most earnestly that he will forgive me. I am miserably ignorant (that is as ignorant as most people have been all along of what was doing there) of the events in France since the tenth of August. But I certainly think there is some Garat among the fiends of Paris. If there be not, or if this be not the man, I request again that he may forgive me.

He has said all of the Abbé de Mably's account of the government of Charlemagne, that can well

be said generally. I shall myself only say a very few things.

It is first to be observed (in case I have not observed it sufficiently, or that sufficient attention has not been paid to my having observed it before) that the Abbé de Mably holds the French government to have been free, not only in fact, but by its constitution, from the times of Clovis; that under him, and after him, the national states met; that they were discontinued by the subsequent oppressions; at last were entirely done away and forgotten; while such assemblies as that held at Paris in the year 615, and which, acting as national, insulted the nation, had come in the room of the old freedom and institutions of the times of Clovis. They were to be restored and dignified by Charlemagne.

In stating what was the constitution of France under this great Prince, I shall borrow the proofs of the Abbé de Mably, more than his narrative or language.

The Salic and Ripuarian laws, and the *ordonnances*, issued by the first Merovingian Kings, which have come down to our times, do not bear in their title the name of the King. Childebert, in the year 595, was the first who put at the head of an *ordonnance*, the following words:—"Childebertus, Rex Francorum, vir iustus." These words were not long used; at least with much power. From the fact, as antecedent to Childebert,

bert, it is clear that the legislative power did not reside principally with the King.

It certainly did not so reside in the times of Charlemagne.

The following authorities, all belonging or referring to his times, are decisive of this matter.

“Capitula” (it is said) “quæ præterito anno
“Legi Salicæ, *cum omnium consensu*, addenda esse
“censuimus.” Capit. an. 801. Again, “Genera-
“liter omnes admonemus ut capitula, quæ præ-
“terito anno Legi Salicæ, *per omnium consensum*,
“addenda esse censuimus, jam non ulterius capi-
“tula, sed tantum lex dicantur, immo pro lege
“teneantur.” Capit. an. 821. art. 5. And still
again, “Capitularia patris nostri, quæ *Franci* pro
“lege tenenda *judicaverunt*.” Capit. an. 837.
And still more than all, and in later times, but
by the preservation of the same principles, “LEX
“CONSENSU POPULI FIT, ET CONSTITUTIONE REGIS.”

There was a distinction betwixt the *laws*, properly so called, and those *capitularies* which were simply *provisional*, and which had no authority till confirmed by the assembly of the nation in the *Champ de Mai*. I shall not quote the proofs of this; reference is enough. These *provisional* capitularies were few in the reign of Charlemagne; more numerous under Louis le Débonnaire; and in the times of Charles-le-Chauve exceedingly common; in correspondence, this, with the characters of the men and of the times; with the vigorous and sys-

tematic, yet in some respects, (for much was to be restored) nascent, government of the first; with the weak and decaying government of the second; with the personal incapacity, and the total ruin to which France was hastening under the government, (if he could be said to govern) of the third monarch, who transmitted the title and the feebleness of king to successors as impotent as himself; while, in the first, the ordinary legislature being sufficient for its functions, the sovereign found but few occasions (in the intervals of their meetings) in which, even in a rising constitution, it was necessary to interpose with his own immediate authority; in the second, on the other hand, the legislature being enfeebled, by the enfeeblement of the monarch himself, his immediate interposition (as is always the case) became more necessarily frequent, as his authority itself, and the other constituent parts of government, became less naturally powerful; an enfeeblement increased by exertion; while, in the last of all, the royal power, as in the last struggles, could keep itself from sinking wholly, only by continually repeated, and by still weaker, and still more weakening, efforts of impotent activity; till it finally ceased and was gone. This view is literally according to the fact; and, in theory, it ought to undeceive those, who imagine that the power of these sovereigns, was despotic in proportion to the number of those ordinances

nances and constitutions, which went out in the name of the prince.

According to the French constitution, therefore, as in its vigour under Charlemagne, the capitularies, proceeding in the King's name, or from the King's authority merely, were not laws. According to the administration of the French government, as in the decay and fall of his weak successors, such capitularies were not laws neither. In the first case, they were not laws, because the constitution was free. In the second case, they were not laws, because the constitution was gone. In the first case, they could be turned into laws, by the proper authority. In the second case, there was no authority in the kingdom, to make them, or to make any thing else, laws. In the first case, having provisional authority, they met with provisional obedience. In the second case, having no real authority at all, they were obeyed, or not obeyed, at pleasure. In the first case they were, most completely, not indeed in origin and principle, but most certainly, as in effect, laws. In the second case, their efficacy was resisted, without any disputes about their principle. In the first case, the name only was wanting. In the second case, there was a name without a thing. They were not laws, in the free constitution, to stop in this way a claim of legislative (exclusively legislative) authority in the prince. They were not laws, that tyranny might be prevented. They were not

laws, in the enslaved anarchic condition of France, in order by this means, and in their feebleness, to prevent all exercise of jurisdiction and authority over the force and violence of the domineering factions. They were not laws, that tyranny might be accomplished.

These things are not said, in precise words, by the Abbé de Mably, but they are founded upon what the Abbé de Mably says; and upon what is recorded or reasoned upon by others, who, like the Abbé de Mably, had investigated, with great learning, and great labour, and great intellect, the history and antiquities of France.

Our English antiquaries, on the side of freedom, (when it was thought that the side of freedom by this means acquired strength) had employed their erudition and genius in proving the pedigree of our liberty, and carrying it back to the most-remote antiquity; in producing "its bearings and "ensigns armorial, its monumental inscriptions, "its records, evidences, and titles." Particularly, it was an universal article of this faith, that William the Norman made no conquest of England; that the representation of the Commons was not to be held as introduced in times so late as those of Edward the First, or of Henry the Third before him; that, in the Anglo-Saxon times, this representation was known and constantly practised; that the legislative authority belonged to the representatives of the whole people, nobles,

nobles, clergy, and commons; and that, in one word, our constitution under the Anglo-Saxon race, was the same, only with the difference of a greater and smaller nation, as that enjoyed by us at present, with so much felicity and renown, and established so gloriously, by our nearer ancestors, at the Revolution. I have certainly always been of this faith myself; and thought the reasons for embracing it strong, and even irresistible. But my patriotism must notwithstanding yield, that the matter is still clearer with regard to France.

That the Commons formed a very principal part in the legislative assemblies of the French nation, is beyond all question. The thing is raised up into evidence wholly incontestible by proofs accumulated upon proofs.

Of the assembly held at Nimeguen, (in the year 831) a Bishop of Lyons says: "Ego Agobardus Lugdunensis Ecclesiæ indignus Episcopus, interfui venerabili conventui apud Palatium quod nuncupatur compendium. Qui ubique conventus extitit ex reverendissimis Episcopis et magnificentissimis viris illustribus, collegio quoque abbatum et comitum, promiscuæque ætatis et dignitatis populo."

I put down this example merely by chance. Had I any inclination to say it was done by design, I might say that the good bishop, though his humility led him to mention his being the unworthy possessor of the See of Lyons, would have

had pride sufficient to mention in terms of indignation and complaint, the presence of the people of promiscuous age and dignity, had it been an uncommon thing (as it was not; for it existed from the foundation of the monarchy) that the *tiers etat* should sit along with the temporal lords and clergy; and he would have passed the thing over altogether without notice, had they been only (as some of the English adversaries of old freedom have most foolishly said of similar expressions, regarding our Anglo-Saxon times; as if, in ages like those ages, multitudes of idle people left their homes to gape, as spectators, over the proceedings of an assembly of clergy and feudal lords; had they been only) a foolish and barren multitude, who came to stare at what they did not comprehend, and to witness proceedings in which they had no partnership of counsel. But, perhaps, it is as good that I have nothing of this kind to say; and am laid under no necessity of saying it; for though the remarks are just enough, they add nothing to the weight of the evidence. He who reading this, should deny that the *tiers etat* made a part of the assembly at Nimeguen, or should maintain that honest old Agobard did not mean to say so, must be a man of very bad faith, or of very bad understanding.

I would do very wrong to fill this book of mine with authorities copied from other books. I content myself with saying, that it is a thing quite plain,

plain, that the Commons formed the third portion of the national assemblies of France. He who doubts of it, has no more to do, than to read on till he be convinced. And he will find that the authors he has to consult, most amply reward the labour.

The constitution of France had a senate as well as an assembly of the nation. "*Aliud placitum*" (says a contemporary writer) "*cum senioribus tantum et præcipuis consiliariis habebatur.*" The regular meetings of this senate were at the end of autumn. Its chief occupation was to prepare matters for the meeting of the assembly of the nation, in spring. The interests of the kingdom with regard to foreign powers were there discussed; treaties, and the subject of peace and war; the internal administration of the country; the causes of abuses, and the means of their removal. Inviolable secrecy covered their proceedings; a secrecy which rendered vain the precautions of foreign powers, and defeated the intrigues of evil men at home.

The general assembly of the people was in the month of May. The assemblies of the nation in the time of the first Franks, discontinued and at last forgotten in the enfeeblement of the Merovingian line, had been held in the month of March. In this assembly all the orders of the state came together; Bishops, Abbots, Counts, Barons, and Deputies of the People. Here, likewise,

wife, and in a matter of great importance, there was a difference from the first times, and from the order observed in the early convocations of the Franks. Every freeman living under the Salic and Ripuarian laws, had the privilege originally of coming to these assemblies, and in them he found his legal place. But when the Franks, mingled with the other tribes, who had the same common origin and institutions with themselves, were spread over the face of an extensive country, it was impossible any longer to assemble in this way. Charlemagne established representation. Twelve representatives, chosen in the body and among the most respectable of the people, came from each county, to protect their interests and dignity; invested with as high legislative powers as appertained to the other orders.

This legislative body, of which the King was a part, in the way of *sanction*, not of *deliberation*, formed permanent arrangements for all affairs of state, till the next year should return. I call these establishments permanent, because they were never changed but on some unforeseen event, and of a nature so important as to involve the general fortunes of the nation. Otherwise they stood as the law of the kingdom, till they were altered by an authority equal to that of the enactment. Sometimes the three chambers (all this is the account of a writer and statesman who lived in the very times) which generally deliberated apart, assembled

bled in one body, to communicate the result of their separate discussions, and to take common measures upon the communication. It could not be expected that, in those early times, the measure of the sovereign's interference should be absolutely fixed, or the manner of it wholly ascertained. This has raised great doubts in more civilized times, and in recent occasions. But the sovereign never entered the assembly, unless when he was called ; and to give his sanction to their decrees. At such times, instead of a simple negative or assent, the monarch might propose some retrenchment, or suggest some alteration. It was not in the spirit of the times to be critical and nice. It would not have done at all, when the people were to return immediately to the cultivation of their fields, or to face the enemies of the state in battle, that they should wait till a new bill was brought in, to supply the place of that which had been rejected. The alterations were suggested on the moment ; and adopted or rejected on the moment. As among rude men things were done rudely ; but as among wise men they were done wisely ; and, as among men who were free, with a spirit of freedom. Such was the practice of Charlemagne ; and this was the law he delivered to his race.

France owed every thing to Charlemagne. I formerly mentioned that the Abbé de Mably had a whole chapter taken up in accounting for the French nation not having been ruined utterly, in
the

the decline of the race of the Merovingians. Had it not been for Charlemagne, they must have been ruined under the second race. This was inevitable, (the Abbé de Mably says) if this extraordinary man had not possessed virtue equal to his genius. All ranks in the state were in that deplorable condition, which encourages, which incites, which (in ordinary minds absolutely) compels ambition. It was in his power to enjoy and exercise power without bounds; and he had the knowledge and the self-command to reject it.

In the situation of France, it would have been easy for this prince to humble all the ranks in the state, each by means of the other; while the royal prerogative was raised above all controul, and aggrandised on their ruins. Instead of this easy task, he undertook and accomplished the mighty labour, of teaching a lawless people obedience, and of giving a servile people freedom: A task more heroically laborious, a more godlike toil, than what was undertaken at any time, or what is fabled or recorded of those consecrated names, who, living in the classic pages of antiquity, have come down to us as the first civilizers of mankind. The only thing in existing nature that could exceed it, would be to legislate at this day for that wretched kingdom; devoted now (but for the interposing goodness of Heaven itself, the matter passes all power of man!) to inevitable destruction. The first civilizers, some have thought, (and it has the authority of two
such

such names as Horace and Warburton) had to abolish a practice so dreadful, as that even of human sacrifices. It is certain that this must be done, and done first,—*cadibus et VICTU FOEDO deterruit ORPHEUS*—by those to whom the commission shall be given (if such restoration be in the design of providence) to raise up again this fallen people to the rank of men.

On the subject of the French kingdom, in the days of Charlemagne, and the heroical abstinence of that prince, I cannot refrain from quoting the Abbé de Mably's own words.

“ It is not very difficult” (he says) “ to remedy
 “ the evils of a people, whose government has not
 “ been wholly subverted as to the fundamental
 “ principle of obedience and subordination; when
 “ there still subsists some sort of legislative power,
 “ or while at least its necessity is yet acknow-
 “ ledged; and while there is in this way still some
 “ common point of union, in which the spirits of
 “ all men meet. Disorders themselves are then
 “ useful lessons; and some wise regulations, made
 “ for the circumstances and times, will sufficiently
 “ command obedience. But when the troubles
 “ of a state bring along with them the symptoms
 “ of universal anarchy, of what importance then
 “ is it to make laws, eluded by the weak through
 “ cunning, and by the powerful violated (even in
 “ the absence of other motives) through pride.
 “ Salutary as, in themselves, such laws may be,
 “ they

“ they are in all cases useless ; in some, increase
 “ the evils they were meant to oppose. It is ne-
 “ cessary to reach to the source of these evils ; and
 “ to establish the necessity of obeying the law, be-
 “ fore the law is enacted.”

“ Many princes, in a situation similar to that of
 “ Charlemagne, have thought absolute power ne-
 “ cessary to effective legislation. They have em-
 “ bittered men’s minds, and have encountered,
 “ by this means, more violent resistance. In the
 “ event of success, the spirit of the people has
 “ been broken ; or, even with those enlightened
 “ sovereigns, whose knowledge taught them not
 “ to abuse their power, the transient blessings,
 “ procured not by regulations but by force, have,
 “ under unworthy successors, become the means
 “ of lasting calamity. Charlemagne, whose grasp
 “ was of futurity, as well as of his own times, did
 “ not wish that the happiness of his age should be
 “ bought by the misery of succeeding genera-
 “ tions. He taught the French to obey the laws,
 “ by making them their own lawgivers.”

I do not intend to make any commentary on
 the wisdom of this passage. It is most sincerely to
 be prayed for, that where such wisdom is possessed,
 (as that which the Abbé de Mably speaks of in
 Charlemagne) there might be also, and always,
 correspondent power ; and that the power should
 never exist without the wisdom. Sometimes (not-
 withstanding) the one is more necessary, and some-
 times

times the other. In the present times, the power of Charlemagne would be a greater blessing to France than his wisdom.

I cannot well tell the reason of it (unless it be that it was the truth, though such truths might have been concealed in consistency enough with candour) but the picture given of those properly (that is in the common use of language) called the *people*, in the French nation, has been generally most disgustful and shocking. We have seen what they were in the ending times of the first race. They are recorded to have been little better in the beginnings of the second race. France had long been covered with blood and darkness. The glory of Charlemagne arose upon this darkness; and even after his orb was entirely sunk, a sort of twilight (the remains of his great illumination) was spread for a space over France. At last this also was swallowed up in the womb of thick substantial night.

Yet before leaving the age of Charlemagne, the *provincial assemblies* must be mentioned likewise. They were among his chief means for civilizing and reforming his kingdom. The government of France by this man, and its constitution under him, were wonderful.

The reason of these institutions, I must also state in the words of the Abbé de Mably.

“ The French were as barbarous” (he is speaking of the mere people) “ and more wicked than
“ when

“ when they first settled in Gaul. Accustomed to
 “ be the sport of their passions and of events,
 “ without foresight or fear, they knew neither in
 “ what manner they should begin, nor by what
 “ principles they should conduct plans of reform-
 “ ation. The general assemblies of a great king-
 “ dom are not fitted to enlighten it. Every thing
 “ there is seen in a point of view too vague, too
 “ confused, too summary as it were, and too in-
 “ determinate. Charlemagne was afraid, and with-
 “ reason, that the laws might be without efficacy
 “ at their very birth, or might fall instantly into
 “ neglect, if he did not make it necessary for his
 “ subjects to know themselves their own wants,
 “ and to know them in detail..” From these mo-
 tives he was led to the formation of the establish-
 ments I am now to mention.

The country was divided into different districts,
 or *legations* ; of which each contained several
 counties. Certain officers, to the number of three
 or four, called Royal Envoys, (in Latin *Missi Do-*
minici) were charged with the government of
 each legation, and obliged to visit it with care,
 from three months to three months. The capitu-
 lary ordaining this, I have placed in the Note *.

Besides

* *Voluimus propter justitias quæ usquemodo de parte comitum remanserunt, quatuor tantum mensibus in anno Missi nostri legationes nostras exerceant, in hieme, Januario, in verno, Aprili, in æstate, Julio, in autumnno, Octobrio; cæteris vero mensibus unusquisque comitum placitum suum habeat, et justitias faciat.*
 Capit. 3. ann. 812. art. 4. There were many other capitularies.

Besides this, every year, these superintendants or public censors held, in their several provinces, assemblies of the provincial states, consisting of all the different orders in the department, and among the rest, of the heads of the hundreds, and of the magistrates of cities. In these provincial meetings, modelled upon the plan of the assemblies of the nation, the affairs of the department were considered, and the necessary measures adopted, with the same solemnity and free deliberation, as in the great assemblies themselves. The envoys reported to the King, and to the nation, through the organ of its representatives in their annual legislature, the condition of the provinces, their wants, their wishes, their resources, and their grievances. In the whole extent of the monarchy, no place thus was hid from the legislative eye, nor could any thing escape the legislative coercion.

Chabrit has also spoken of these assemblies of particular states. I shall give his account, which is very short, in his own language.

“ Il arrive quelquefois que la délibération n'intéresse pas tout le royaume, et alors on assemble des états particuliers.”

“ Le droit Romain et la langue de nos provinces du midi, le droit coutumier et la langue de nos provinces du nord, firent admettre une division du royaume en pays de droit écrit et de langue d'Oc, et pays de coutume ou de

" de France et de langue d' Oil ; la ligne indiquée
 " par la Garonne depuis son embouchure jusqu'aux
 " bec d' Ambés, et par la Dordogne, faisoit la se-
 " paration des deux langues ; chaque langue avoit
 " ses états, qui étoient convoqués par des commis-
 " saires du Roi à la maniere des états généraux, et
 " qui opéroient de même."

" Enfin il y en avoit tres-souvent d'une seule
 " province, d'un seul bailliage ; et c'est dans cette
 " forme qu'on administre encore quelques-unes de
 " nos provinces, et qu'on a toujours procédé à la
 " réduction de nos coutumes."

The authorities cited by Chabrit are unques-
 tionable ; being the *ordonnances* themselves by
 which these things were done. I believe there are
 many who think, that the provincial assemblies
 of the states in France originated, all of them,
 from these provinces, once independent, retaining
 some share of that old independency. It is plain
 that the thing was otherwise ; and we see its ori-
 gin here. The *ordonnances* quoted by Chabrit,
 too, are of the third race ; so that this constitution
 of Charlemagne was restored with the restoration
 of the monarchy. How minute must the atten-
 tion of government have been, how easy redress
 for the subject, when (and this also under the
 third race) there were deliberative assemblies of
 bailliages !

I do not know whether there was any other bo-
 dy as ignorant as I was ; but till I read Chabrit
 (now some years ago) I did not know how a par-
 ticular

ticular province in France came to be called Languedoc.

The great advantages of these lesser assemblies, the public and private blessings of which they were the cause, are thus mentioned by the Abbé de Mably.

“ La nation entiere avoit les yeux continuellement ouverts sur chaque homme public. Les magistrats, qu'on observoit, apprirent a se respecter eux-memes. Les mœurs, sans lesquelles la liberté dégénère toujours en une licence dangereuse, se corrigerent; et l'amour du bien public uni à la liberté, la rendit de jour en jour plus agissante et plus salutaire.”

I must put an end both to further remark and further quotation. It is apparent, what sort of constitution was enjoyed by the French in the times of Charlemagne. Except the feudal variations, no change in the *constitution* itself took place under his successors; but the government was *administered* with the utmost *weakness*, and, therefore, was conducted frequently with the utmost *tyranny*. These things are reciprocal; and when I say, that the government of the successors of Charlemagne was the feeblest perhaps at any time known in the world, I say at the same time that it was the most oppressive and tyrannical.

It will neither be required, nor expected of me, that I should wade through the night of Europe; should grope my way in that darkness which co-

vered the nations, not long after the death of Charlemagne. The same obscurity settled on France, as on the other countries.

Yet I have always been far from thinking that this darkness of Europe (during the time it lasted; not long neither, in its thickest gloom) was so great, as many have believed, and many have written. The monuments of the times are in direct contradiction to it. There was not only light, but sometimes great light; and it shone upon France as strongly, and steadily (indeed much more strongly, and much more steadily) than upon any other European nation.

Sufficient monuments yet remain, to prove that in France the constitution of her government, as I have described it, was never essentially, or in principle, changed, during all the confusions, all the public and private wars, all the oppressions, all the follies and the crimes, of rude, and barbarous, and dark ages. I shall say nothing, however, of what took place in France till the reign of Louis le Gros.

I formerly mentioned, that the Abbé Dubos carried the origin of the free cities and corporations in France to a very great antiquity; while he finds in the senatorial magistracies of old Gaul, the councils and magistracies of later times, or the modern *communes*. I should write a dissertation, were I to enter upon this subject. Many scattered remarks (but excellent remarks) on this matter are to be found in the work I formerly mentioned.

tioned.—*Les Origines.* The Abbé de Mably treats the opinions of the Abbé Dubos, all along, and here as much as any where, with very great contempt. Certainly whatever was the case as to Gaul, and however antient, in the dominions of the Franks, cities and corporations may have been, yet their restoration, as to some, or their creation, as to others, belong to times later than the accession of the third race; or to speak more accurately, or, at least, more according to my own opinion, in the darkness, and confusion, and disorders of the times, common to France with the rest of Europe, the old system, partly Roman and partly Gothic, being wholly done away, the privileges given to cities, and the charters upon which their rights are founded, though it might make them no better than they were of old, yet were granted (at least generally) without any acknowledgment of antient right, received (at least generally) without any reference to antient right, and, most unquestionably, would have been bestowed (as they were bestowed) whether there had been any antient right or not; or even had the matter, in former times, been quite the contrary to any claim or any practice of such sort or nature. Things were considerably different in England; of which it is not my business here to tell the causes. The Abbé de Mably maintains that the *communes*, (such as they now exist, I mean three years ago existed, in France) first began to be established in the reign

of Louis le Gros; that is, established by the authority (exclusively claimed, and exercised exclusively) of the monarch himself. For the Abbé de Mably does not deny, that many cities might, before that time, have erected themselves into corporate bodies; that, in this way, they obtained afterwards charters of confirmation; that others had been erected within the domains of particular feudal lords; that these might afterwards be confirmed also; nor in short, does he deny any thing, except the alleged facts, that the burghesses enjoyed their privileges in an uninterrupted course from the antient Gauls; and further maintains that, as they existed in our days, the *communes* were institutions comparatively modern, and which owed their origin to causes of peculiar operation at the period of their establishment. Louis le Gros commenced his reign in the year 1108.

After the times of Hugh Capet, things began in France to go the same train as before. This prince ascended the throne of France, on the third day of July, in the year 987. Considerably more than a century thus intervened betwixt him and Louis le Gros. The feudal chiefs had, during all that period, been encroaching on the powers of the crown. Among all their rights, (that is, among all the things they claimed and exercised) their own territorial jurisdiction, exercised exclusively and in opposition to the King, was the greatest engine, and main support of their power.

It

It was a singular answer made by Adelbert, Count of Perigord, to Hugh Capet, and his son Robert, whom his father had associated with him in the royalty. *Who made you Count?* said the two sovereigns. *Those*, replied Adelbert, *who made you Kings.*

For a considerable time, there was a balance of forces, which kept together the component parts of that power by which the French nation was governed. Yet even while this balance was least unequal, the many independent vassals, (a truth and a contradiction) some of whom, individually, nearly reached its level, and who, as a common body, overtopped the throne, rendered government, at the best, insecure, and often (in their disunion always) oppressive. Louis le Gros had excellent ministers; among others the celebrated Suger. The power of the crown was considerably recovered in his time.

I shall state what was done in this reign, in the words of the President Hénaut.

“ Pendant ce fut ce prince qui commença à reprendre l’ autorité dont les vassaux s’ étoient emparés; il en vint à bout, soit par l’ établissement des communes, soit par l’ affranchissement des serfs, soit en diminuant la trop grande autorité des justices seigneuriales : à la vérité ce fut moins l’ ouvrage du roi que celui des quatre frères Garlande et de l’ Abbé Suger, ses principaux ministres. Par rapport à l’ article de la

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justice

“ justice, voici comme on parvint à s'en ressaisir,
 “ tant sous ce regne que sous les suivans.”

“ On envoya d'abord dans les provinces, des
 “ commissaires, appelés autrefois *Missi Dominici*,
 “ et depuis *juges des exempts* ; ils éclaircissent de près
 “ la conduite des ducs et des comtes ; ils recevoi-
 “ ent les plaintes de ceux qui en avoient été mal-
 “ traités, et dans le cas où ils ne jugeoient pas
 “ eux-mêmes, ils les renvoyoient aux grandes as-
 “ sises du roi, qui étoit le parlement, appelé dans
 “ les capitulaires de Charlemagne *Mallum Impera-*
 “ *toris*.”

“ Ensuite nos rois créèrent successivement qua-
 “ tre grands Baillis dans l'étendue de leurs do-
 “ maines, lesquels par l'attribution des *Cas Royaux*,
 “ devinrent seules juges d'un grand nombre d'af-
 “ faires, à l'exclusion des seigneurs particuliers ;
 “ ces mêmes baillifs étant devenus trop puissans,
 “ on donna à leurs lieutenans le droit de juger en
 “ leur place. A cet exemple, le roi obligea les
 “ seigneurs de céder aussi l'exercice de leurs jus-
 “ tices à leurs officiers. Enfin les appels de ces
 “ juges de seigneurs devant les juges royaux, ache-
 “ verent de détruire le trop grand pouvoir des jus-
 “ tices particulières : aussi, dit Loyseau, ce droit
 “ de ressort de justice est-il le plus fort lien qui soit
 “ pour maintenir la souveraineté.”

It would have been a very long affair to have
 detailed all that happened in this progress ; and
 the facts would not have been sufficiently authen-
 ticated by my own affirmation alone. It was at

once

once for the sake of brevity and authority, that I have quoted these passages from the President Hénaut. Yet with all his accuracy and abilities, the President Hénaut is a safe antiquarian guide only in facts: I mean, so as to be perfectly and implicitly trusted. He had not taken those great and enlarged views, which can alone render theory secure; and he, therefore, rests, as in this case men ought to rest, in the common and generally received opinions. It is evident that this remark (though it was necessary to be made) does not diminish the authority of the present quotation.

By the means mentioned here, (and which consisted chiefly in restoring old institutions) the people acquired more freedom and security; and the crown was enabled, by giving protection, to command obedience. The oppressions (and there were many oppressions) which had taken place under the third race, were yet neither more in number nor in atrocity, than those which had fallen upon the nation in former times. Indeed, they were fewer and less atrocious. This is a matter quite certain. With the confirmation of the feudal system, a system in itself of union, of mutual protection and gratitude, of strong reciprocal attachment and affection; along with it, and with all the evils which began and increased, as that system degenerated, a peculiar set of manners and sentiments arose, and they continued long, which mitigated, or wholly removed these evils. And as these manners or sentiments became less in efficacy,

efficacy, the progress of other principles, derived from other sources, had nearly the same effects; that is, as to mitigating or doing away the oppressions of feudal degeneracy; while the people became more powerful (as powerful as formerly) by regaining their old knowledge, and exercising their old industry, now more vigorous in many cases, by being employed in new channels; and while the crown, its influence being spread more uniformly over the whole state, came to be not only acknowledged, but felt, as the paramount power of the realm, every where, and in all its acts of whatever nature. During all this period, and in all these events, the constitution of France was still the same. So was the constitution of our own country; so of Spain; so of every kingdom of Europe, which had received any permanent monarchical settlement; as most of them had done. But I am to speak only of France. If there was tyranny practised, it was not that principles of tyranny were maintained; that the subjects were held to be slaves, or that kings were said to be absolute; it was not from enacting oppressive laws, conferring immoderate prerogatives upon the crown, or annihilating the rights of the people. The tyranny took place (as tyranny will do always) because the times were dark and ignorant, (when I speak thus, I wish always to be understood as speaking of a period of no great duration) the people untamed and lawless, the principles of government little understood, its authority

rity little acknowledged, and its duties little practised; the tyranny took place, not because the constitution was overthrown, but because its nature was not comprehended; it existed as unimpaired as it had ever done, and the laws of its establishment remained unaltered; only, the people sunk in ignorance, knew it not, and did not care for it. In such times, personal qualities, the only instruments of power, were the ruin or the salvation of a people. In such times, it is only absurdity to talk either of tyranny, of liberty, or of government. They are all equally unknown in such times. They all suppose something (more or less) ascertained, permanent, and settled. There was here nothing fixed, permanent, nor settled. Great liberty might be enjoyed; but it was casual liberty. Great oppression might be exercised; but it was oppression which might be legally resisted. Nothing was taken away from the constitution; and nothing was done according to the constitution. Liberty was ignorantly enjoyed; and tyranny was ignorantly practised. From such a state of society, the only conclusion we can draw, is, that nothing can be more absurd than to draw any conclusions.

The barbarities of Europe have been much magnified, as I think, as well as its ignorance and darkness. There have been many causes for doing this in both ways. I do not mean to detract from the merit of the early scholars, who revived literature in the west. But their glory was much concerned

concerned in obscuring all that had gone before them. And it cannot be denied that they were careful of their glory. In later times, the greater number (indeed almost every body) have been content to learn from them; if in fact, the greater number thought it necessary to learn any thing, about any former times. Moreover, the common run of fashionable authors on matters of history and antiquity, and general philosophical research, have now for about a hundred years been telling the world, in at least a hundred publications every year, that till they themselves appeared among us there was no knowledge on this earth at all. The first scholars had some excuse; for, reposing on the newly found elegancies of classical times, they had been softened into a delicacy and sensibility, which the roughness of coarser knowledge irritated and pained. It was not always injustice in them; but often aversion. Such was the excuse of learning and taste. The excuse of ignorance is not so easily made; nor am I, nor is any body, bound in duty to make it. Of *presumption and ignorance* to make the excuse, would itself be inexcusable. Yet it certainly was the interest of the later writers, to speak of the old times as ignorantly barbarous. It saved all sort of trouble in giving any account of them; and it enhanced the renown of more modern persons and times.

A very striking example of the judgments passed upon the institutions of the barbarians is given by

by the accomplished and admirable Gravina; and it is in his own person. This learned and liberal man could say, and in his own excellent and truly Latin language :—" Itaque Italia, majestate fima et legibus exuta suis, jugum imperii legumque subiit barbararum; dominaque rerum humanarum, sensu pristinae libertatis veterisque magnitudinis, per longum ac vile servitium, privata, pro Romani splendore atque humanitate juris, *belluinas, atque ferinas, immanesque Longobardorum leges* accepit. Et quas regiones jus Atticum, in Romanos mores traductum, et ex prisca omnium seculorum sapientia conflatum, diu rexerat; postea usque ad Lotharii tempora occuparunt Visigothicae, Longobardicae, Francicae, ac Burgundionum *PUDENDAE* leges, sive potius *BARBARICI INGENII LIBIDINES*; quae continentur in codice inscripto *Corpus* legum antiquarum, appellatum vero a *Rotari* rege, qui primus eas collegerat, *edictum*: ex quo jus Longobardicae dominationis tempore reddebatur."

It is, however, of these laws that Montesquieu has said, that they were superior to the laws of the other barbarians; excellent as the other laws of the barbarians were. It is, however, of these laws that all who reverence the old liberty of Europe, (and the same is the case with all the other barbarian codes) should speak with admiration and honour. They are the source and example of our own free legislation. The same thing happened with the Lombards,

Lombards, as with the other northern nations. The PEOPLE LEGISLATED among them all. " The King of Italy," (says Mr. Gibbon) " convened the national assemblies in the palace, or " more probably in the fields, of Pavia : his great " council was composed of the persons most eminent by their birth and dignities ; but the validity, as well as the execution, of their decrees, " depended on the approbation of the *sabbful* " people, the *fortunate* army, of the Lombards. " About fourscore years after the conquest of Italy, their traditional customs were transcribed in " Teutonic Latin, and ratified by the consent of " the prince and people ; some new regulations " were introduced, more suitable to their present " condition ; the example of *Rotharis* was imitated by the wisest of his successors, and the laws " of the Lombards have been esteemed the least " imperfect of the barbaric codes." And as to their government, the same author says, " The " succession of their Kings is marked with virtue " and ability ; the troubled series of their annals " is adorned with fair intervals of peace, order, " and domestic happiness ; and the Italians enjoyed a milder and more equitable government, " than any of the other kingdoms which had been " founded on the ruins of the western empire."

Whether this was the case, or whether, if it was the case, circumstances of situation, rather than of government, were not the cause, (for taking government in the sense not of *administration* but

but *constitution*, all the Gothic kingdoms of the west were the same) are matters not here to be inquired into. I wished only to give an instance of learned, candid, liberal rage; for learned, candid, and liberal, was Gravina. What then was to be expected from ignorance, and vanity, and dullness!

But even these things I have mentioned, are not the chief causes of the reproaches thrown on the older times. They have arisen mainly, certainly have been mainly propagated, from a wish to overturn claims of freedom, and justify the demands and practices of tyranny. And the way in which they were to serve these purposes, (and have served) is very obvious. It was an engine formerly much wrought in France. Yet, by promoting inquiry and learned study, it defeated itself.

All the evils of such a courtly and oppressive reign, as that of the monarch so unjustly called Louis the Great, were coloured over, and rendered in some sort amiable, by contrasting them with the barbarities and grossness of former times. When the hideous Gothic figures arose in the back-ground, the eye turned with complacency to look, if not to rest upon, the more delicately flagitious proceedings of a palace, or the exercise of oppression by some sort of measure and rule. Liberty itself was held out as, at best, a rude, uncouth, disgusting sort of thing; the enemy of refinement, and taste, and pleasure. But more was done than
this

this still, when all the former ages of Europe were described to have been one uniform succession of barbarity, of mutual oppressions, and slaughter. The first kind of representation was designed for the more instructed, who knew that liberty had been at least claimed at times by their forefathers; and that the claim was transmitted to their children. As to the bulk of people, seeing nothing but gloomy and terrific forms in the obscurity of old times, they congratulated themselves upon the light which had chased these spectres away. Their present situation, compared with the horrors of old, could not be too dearly bought. They sat down contented under tyranny itself, which, from the history of the ages that went before, appeared something more civilized and human.

In this way, arbitrary power had not a surer prop than in the opinions so eagerly inculcated, and so generally received, of the dreadfully barbarous condition of old Europe. As it came gradually to be known, that Europe had at no time been so barbarous; they were obliged to work their engine in another direction; and to accomplish by other means the same purposes.

When it appeared by the accounts of those adventurous men, who had the courage to look back into the old times, to inquire who were the inhabitants, what the laws, the manners, the government, of ancient Europe;—*qui teneant, homines ferant*;—when it thus appeared, that the tales of

monsters, and giants, and prodigies, invented or believed, for the purpose, or with the effect, of repulsive obscurity, were the fables of childishness or falsehood; when the gates of the temple of feudal science, unlocked and unbolted, gave a full view of its antique internal magnificence.—*Tectum augustum, ingens, centum sublime columnis*;—when kingly splendour, military honour, religious grandeur, and popular power, were all displayed within its walls, inlaid with their emblematic decorations:

“ Hic sceptrā adcipere, et primos adtollere fascis

“ Regibus omen erat: hoc illis curia templum,

“ Hæ sacris sedes epulis: hic, ariete cæso,

“ Perpetuis soliti patres confidere mensis.

“ Quin etiam veterum effigies ex ordine avorum

“ Vestibulo adstabant: alique ab origine reges,

“ Martia qui ob patriam pugnando vulnera passi:—”

When all these hidden glories of the former times opened to the view of the inquirer, almost as soon as he had placed his foot upon the shore; when, as he advanced, and, while the genius of history unfolded the records, and heroical *fasti*, of Europe, he contemplated, in still brighter, and still more brightening prospect, those magnanimous times, before “ *Una fair gan drop her princely mien*,” in which independence of mind claimed political freedom, and political freedom fostered independence of mind; in which noble feelings were the parents of noble actions; where grave

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and

and sober truth had consecrated heroism, documented and authenticated in every part, in colours as vivid, and strong, and splendid, as if she had snatched the pencil of fancy, to call up fiction into the reality of life; when, in these times, he beheld (unless at intervals never long, and in circumstances never universal) that oppressions were only the forerunners of vengeance, and that vengeance was always accompanied with restraining justice; that private virtues grew and flourished in the soil of public liberty; that government owed its strength to the affections of its subjects, and employed its strength for their happiness; that all the great principles of freedom and obedience were practically established and sufficiently known; that the boasted science of later times, neither in politics nor in morals, nor in the whole of the philosophy of human life, surpassed the rude simplicity of feudal manners, and that if improvements have been made in the later times, there has been in the later times degeneracy also; when, taking in the whole prospect under his eyes, these were the immediate sensations of the inquirer, the fruit of his observations, and what he was to communicate (and what was communicated) to those who were formerly ignorant, and now wished to learn what had been the history of the ages that went before them; and when, the darkness being now dispelled, which had so long sat upon it, this ground of antiquity began to be more commonly explored,

explored, and to be marked by many an inquiring footstep; it then became necessary (and the work was eagerly set about) to maintain, not so much the barbarity, as the slavery, of the old feudal ages.

It was not altogether, or by any means an easy labour, this; but there were men found to undertake, and some of abilities sufficient partly to perform it.

The main difficulty was to reconcile the barbarous lawlessness of the times, with the legal slavery of the times. This was a conjunction wholly unknown and unrecorded: And the people employed in this business, could not even conceive, in imagination that state of things, which has been in our days realized in France.

Accordingly it was found necessary, to whitewash the dismal walls of those horrid castles, from which the feudal tyrants descended upon their prey. The power of the feudal chiefs, the extent of their independent dominions, their numbers, and their great importance as a component part of the government, were all lessened. It would have been too much this against the throne. Yet sufficient power was still left to oppress the people; though it was taken away as to resisting the King. Upon the systems, which left to the feudal chiefs their power, that power was made to exist by a sort of self-origination, equally strong against the people, as against the King; and this

not in particular times or cases, but always and universally. And, by one sort of explanation or another, while it was absolutely necessary for them to allow that the people had arms in their hands, they yet contrived to shew, that the people, in some strange sort of way, made use of these arms to enslave themselves.

But what was to be said to the share of the people in the legislation? it was simply denied. They did not come to have any share, till very late times, and till much later times, their share was permissive and insignificant. Here the evils of unsettled government and rude times were again brought forward. Could the people be free when such things were done?—as if every instance of oppression or misgovernment was an argument of constitutional tyranny. Alas! then, we are not free still. As to the documents of antiquity, these they avoided with as much care as they could; and with great earnestness advised others to avoid them. And what was their use, when the historical fact proved that the King's power was absolute?—always so in right, by the public law; and at last so in fact likewise. Little, indeed, did these men and their employers know, that they were thus destroying the authority of Kings; that the axe was thus laid to the root of all regal dominion; that, to say the power of Kings had been hitherto absolute, instead of affording a claim of continuance, gave the right and the desire, and created

created the means, to do that power wholly away.

The advocates of freedom knew nothing of the French rights of men ; nor could they be driven to any thing resembling them, even by this conduct of their adversaries. They maintained stoutly and perseveringly the old liberty ; and the proofs of it were accumulated every day. It was upon such grounds (and upon them alone, in my opinion greatly too much so), that Lord Somers, in his writings, greatly more even than in his speeches, maintained the cause, and justified the measures, of our glorious Revolution. However, the old business was still carried on in the old shop. It languished daily. At last another set of men arose ; and the trade began to flourish under another firm. These men laughed at all genealogies and pedigrees of freedom. Was not the freedom of yesterday, just as good as the freedom of a thousand years ? Was it not better ? Nay, was it not certain, that the freedom formerly called freedom, was no sort of freedom at all ? Away with it ! And no sooner had these democratisers (for *they* were the new dealers in this business) opened shop, than the cry of Reformation, which resounded over Europe, bawled by their hawkers through every street, and stuck up in their advertising bills, in every place of public concourse, was founded on and justified, authenticated and confirmed, by the same means and reasons,

which had formerly been employed to justify the tyranny of Kings, and enforced in the self-same strains, which had so long formed the pious psalmody of courtly devotion. Now more than ever, and with an energy never displayed before, the slavery of old Europe is held forth to contempt and indignation. Now more than ever, the absolute power of European Kings is displayed and magnified. The new democratisers have found their best allies in the old sycophants of tyranny. Nor was it unnatural that this should be so. I leave them to each other; and go on with my subject.

While the government of France thus began to be conducted again according to its old constitution, the assemblies of the nation again met in deliberation on national affairs.

I got a book, published at the beginnings of the French rebellion, which, from its title, should contain something, but does not contain much. Its title is, *Chronologie raisonnée des Etats-Generaux*. It contains, however, a list of those assemblies, from the last States General, in the year 1614, up to the reign of Hugh Capet. Among others, it mentions one held at Paris, by Louis le Jeune, in the year 1145. Many others are mentioned, under the succeeding princes; Philippe Auguste, Louis VIII. Louis IX. and down to Philippe-le-Bel. It is at his times, that this matter becomes any way interesting or important.

The French Kings, as the anarchy of the very
dark

dark times ceased, began themselves, and as of their own authority (although without making any claim in their own names, or seeking to transmit any to their posterity) to make, as the occasions required, certain general regulations, which, being productive of utility, were obeyed as laws. Something of this sort was done (and he appears to have been the first) by Louis the Eighth. St. Louis, to whom France owed so much, carried this matter, with the best intentions, and aided by the reverence of his personal character and the love of his subjects, to a degree still greater. At last, without any formal acknowledgment, or even any formal demand, the King was allowed to become the legislator, in many instances, of the nation.

This power of the King, however, (I speak at present in the person of the Abbé de Mably) would not have been secure, in the hands of the after princes, had they not appeared to hold it of the people. Philippe-le-Bel, an able and judicious prince, by his example, gave a lasting establishment to the States General. They were assembled in the year 1302; and it is disputed by nobody, that the *Tiers Etat* made a part of them; and continued to do so ever afterwards. The only dispute is, whether this was the first time. Even the Abbé de Mably is of opinion, that it was the first time; that is, the first time under the third race, after the loss of these assemblies by the anarchy of

the dark times; nor does he think that any great advantage to the cause of freedom was obtained by their convocation. Nor am I inclined to controvert the Abbé de Mably's theory. It is enough, that the King thought his power insecure without the concurring power of the nation. The measure of theoretical liberty I do not ascertain. The actual liberty enjoyed, depended much on circumstances and situation. The English invasions of France began at this time; and they could not contribute either to the good public government, or to the private felicity of the French people. But let the liberty enjoyed be what it might, the people were an essential component part of the sovereignty. I shall yield to the Abbé de Mably, that Philippe-le-Bel was a very different prince from Charlemagne; that the States General he held were unlike the *Champs de Mai* of his renowned and glorious predecessor; that the Frenchmen of these times knew nothing of Charlemagne or of his assemblies; perhaps were as ignorant as the French of the present day; but with all this, Philippe-le-Bel had in his reign the assembled states, of the nobles, the clergy, and the commons; and every monarch after him, down to a reign fatal to France; the reign of Louis the Fourteenth.

The famous Chancellor De l' Hopital, speaks thus in the Assembly of the States, held at Orleans: " We must not listen to those, who pretend that it is not becoming the dignity of a
" King

" King to call together his States ; for what more
 " worthy of a King, than to render justice to his
 " people ; and when can he do it more easily,
 " than when he gives to every individual the pri-
 " vilege of laying his complaints with the utmost
 " freedom at the foot of the throne, publicly, and
 " in a place where imposture and artifice can have
 " no access?" This language will not please so
 much now, as it did once. Not long ago in France
 a man would have been idolized by the people for
 these words. At the same time I most readily
 grant, they are not words sufficiently expressive of
 liberty. They hold out the assemblies of the na-
 tion as a thing proceeding from the bounty of the
 King. This was not their old estimation. Yet it
 was not worse in France than it was in England,
 before, at, and after, the same times. Such lan-
 guage was too much known in the times of the
 last Henry, of Elizabeth, and James. But it was
 not the law, neither in England nor in France.
 In France (to be sure) things were hastening on.
 They stopped with us in good time ; though not
 without bad example.

I have overshot chronology, however, a little ;
 and I return.

Non ego cuncta meis amplecti verbis opto. I
 cannot write the history of France. I come down
 to the reign of Louis the Eleventh.

" Car bientôt apres cela," (says the Marquis d'
 Argenson ; that is, after the constitution of the
 States-

States-General in the manner they existed in the later times), " il n'y eut plus d' états généraux du
 " Royaume, sans le tiers état, et par la suite, les
 " Députés étant très nombreux, ils eurent autant
 " et plus de pouvoir que ceux du clergé et de la
 " noblesse ; ces deux ordres ayant admis le troisi-
 " ème à avoir voix délibérative comme eux."

" C'est véritablement à cette tolérance, que
 " commença l' époque de la grande chute de la
 " noblesse et du pouvoir Féodal en France ; l' ac-
 " croissement de l' autorité de nos Rois a fait le
 " reste : ce qui nous prouve, quoiqu'on en dise,
 " que la Démocratie est autant amie de la Monar-
 " chie que l' Aristocratie en est ennemie."

After France was recovered from the English, Charles the Seventh could do in his kingdom what he pleased. If the royal authority was growing great before, it reached its summit now. Charles had all the power of a conqueror, joined to all the attachment given to a lawful prince. It was easy for Louis the Eleventh, after him, with talents, and policy, and power, to accomplish the destruction of an aristocracy, which came too near the throne. The grand fiefs fell one by one before him.

The succeeding reigns were reigns of foreign war ; especially the wars of Italy, that grave of Frenchmen. In this period, there were such princes as Louis the Twelfth, and Francis the First. The nation which they governed could not
 be

be unhappy. Yet France was gradually ceasing to be free.

At last came the dreadful league ; and its horrid times ; its massacres and destruction ; its heroism also, and valorous renown ; for France in those days still produced men ; men, even in the commoner ranks of life, followers as well as leaders. Yet during these times there were assemblies of the states. They are mentioned in the *Chronologie Raisonnée*, of which I spoke formerly.

By the bye, mentioning this pamphlet again, there is in it an account of the proceedings of the States-General, held at Tours, in the minority of Charles the Eighth, in the year 1484, together with lists of the members who composed the three chambers. Among other enactments of these celebrated states was the following:—

“ Que toutes les tailles et autres équipollans
 “ aux tailles extraordinaires, qui par ci-devant ont
 “ eu cours, soient du tout tolliées et abolies, et
 “ que désormais, en ensuivant *la naturelle francbise*
 “ *de France, et la doctrine de St. Louis*, qui com-
 “ manda et bailla par doctrine à son fils, de ne
 “ prendre ne lever taille sur son peuple, sans
 “ grand besoin et nécessité ; ne soient imposées ni
 “ exigées lescdites tailles, ni aydes équipollans à
 “ tailles, sans premierement assembler lescdits trois
 “ Etats, et déclarer les causes et nécessités du Roi
 “ et du Royaume, pour ce faire, et que les gens
 “ des

“ des dits Etats le consentent, en gardant les pri-
 “ vileges de chacun pays.”

A record this of the freedom of those times to which it belongs ; and of older times likewise ; very commonly represented as the ages of what has been called feudal slavery.

The murders in the time of the league (though merciful and few compared to our days) exhibit a shocking picture of the French populace. The hideous massacre of St. Bartholomew I do not mention. But there were individual assassinations ; not wholly dissimilar to what has been done, and is doing in France.

One merciless execution has been recorded by the pen of Gravina, so exceedingly like to those of the present time, that I cannot abstain from placing it here. It is of that great ornament of the Civil Law, Brissotius ; whose works and fame are so high, and so much valued, in its schools. After the enjoyment of several other dignities, and places of importance and trust, he was appointed President of the Parliament of Paris. What remains must be told in the language of Gravina.

“ Mirum autem fuit in hoc viro, ut neque eru-
 “ ditæ jurisprudentiæ studio a forensi labore ; ne-
 “ que hoc ab illo distraheretur. In forensibus enim
 “ vacationibus, ad severiora studia juris antiqui,
 “ tanquam ad laborum levamen confugiebat ;
 “ quodque aliis curarum summa fuisset, id erat
 “ homini laboriosissimo diverticulum. Utinam ve-

" ro sola literarum gloria contentus fuisset, nec se
 " ambitione in popularem flammam calamitosis il-
 " lis Galliae temporibus coniecisset! *Parifinis* enim
 " *tumultuantibus* adversus regem, cum ipse, colle-
 " garum exemplo, abscessu suo, vim declinare po-
 " tuisset; populari tamen auræ confusus, manere
 " decrevit in urbe: sperabat enim seditionem illam
 " præsentia, et auctoritate sua, repressum iri. A
 " qua sententia nullis amicorum admonitionibus
 " deduci potuit. Quamobrem lapsus in manus
 " inimicorum, inque teterrimum carcerem con-
 " jectus, vitæ miserabilem nactus est exitum: tra-
 " ditusque carnifici, extremas contumelias, ab in-
 " solentissimis et efferatis hostibus, toleravit. Car-
 " nifex vero initio ad tantum facinus exhorresce-
 " bat, clarissimique Præfulis dignitatem adeo reve-
 " rebatur, ut membris expavesceret, brachiaque
 " illius, dum necem tentarent, insolito torpore
 " corriperentur. Tandem, urgentibus inimicis,
 " victaque metu reverentia, vi subactus carnifex
 " celeberrimo viro, *de infelici trabe suspensò*, gulam
 " laqueo fregit."

Another striking likeness of those times to these.
 The hangman of Paris seems then, as now, to have
 been the only man among them, who had any re-
 mains of human feeling.

The President de Thou (whose Latinity does
 not equal that of Gravina) gives a very striking
 representation of the dangers that surrounded a
 man, who had abstained from business and affairs
 during

during his whole life, but whose admirable learning and virtues rendered his recluseness no protection against sworn assassins, to whom such qualities were the signal and incentives of murder. The great Cujacius died (as the President de Thou says) of a broken heart; while he saw his steps tracked by murderers. “ Verum, civilium bellorum fœda
 “ suborta tempestate, cum vir, ut professione, sic
 “ moribus, juris et æqui observantissimus, omnia
 “ jura per factiones perverti, ingenuam libertatem, in qua adoleverat, corrumpi, candorem per
 “ fucos, et detestandas in religione simulationes,
 “ amitti, seque non jam muris, sed parietibus includi, neque tantum a sceleratis observari, sed
 “ ad eandem oculis designari, videret, expetitam
 “ longiorem vitam, si publico prodesse potuisset,
 “ melioris desiderio generose abruptit, et mœrore
 “ confectus, optime meritam de republica animam
 “ Deo, a quo acceperat, pie reddidit.”

These were dreadful times. But they have been exceeded.

Henry the Fourth was at last placed securely on the throne of France. The nation rested from its troubles; and was happy. What calamities might Europe have escaped, had there been a Henry of Navarre in our days!

An author who was young while Henry reigned, has described the sensations his government had impressed, in the following manner:—

“ L’

“ L'idée qui me reste de ces temps-la me donne
 “ de la joie. Je revoie en esprit la beauté des cam-
 “ pagnes. Des-lors il me semble qu'elles étoient
 “ plus fertiles qu'elles n'ont été depuis ; que les
 “ prairies étoient plus verdoyantes qu'elles ne sont
 “ à présent ; que nos arbres avoient plus de fruits.
 “ Il n'y avoit rien de si doux que d'entendre le
 “ ramage des oiseaux, le mugissement des bœufs,
 “ et les chansons des bergers. Le bétail étoit me-
 “ né furement aux champs, et les laboureurs ver-
 “ soient les guerets, pour y jeter du bled, que les
 “ leveurs de tailles et les gens de guerre n'avoient
 “ point ravagés. Ils avoient leurs meubles et leurs
 “ provisions nécessaires ; ils couchoient dans leur
 “ lit. On voyoit partout un propreté bienséante.
 “ L'éloignement du grand monde n'abattoit point
 “ le cœur, et ne rendoit point la noblesse plus
 “ grossière. On entendoit des concerts de mu-
 “ settes, de flute, de haut-bois ; la danse rustique
 “ duroit jusqu'au soir : on ne se plaignoit point
 “ comme aujourd'hui des impositions nécessaires
 “ et excessives ; chacun payoit sa taxe avec sa
 “ gaieté. Telle étoit la fin du règne du BON ROI
 “ HENRI IV. qui fut aussi la fin de beaucoup des
 “ biens, et le commencement d'une infinité de
 “ maux, quand une furie enragée ota la vie au
 “ prince.”

There are allowances to be made for the pic-
 tures of childhood ; for what is remembered of
 those fortunate years, that are fled never to re-

turn. No doubt, the fields wear a softer green to the eyes of infancy, and the vault above us smiles in a serener blue. Who can forget these days of opening life, gay, and cheerful, and innocent? or who remember them but as a delightful dream, filled with lovely scenes and prospects! Man has to recollect the order he occupies by the ordinances of God, and his station in the universe, before he can cease to regret, that these days have passed over him, are for ever gone; and that nothing like them is in store, in any after time, in all the future treasures of our mortality: That the fairy wand of young fancy is never again to touch his eye-lids, that he may be visited, in the innocence of repose, with visions of gay felicity, and wake again to cheerfulness and peace. The heavenly forms of those early years cannot be retraced in our memory, without raising great emotions. I willingly allow that something must be given to the pictures we draw of them; the colouring may be too high for the reality; though it cannot come up nearly to our own feelings of the delirious felicities of these prime of days. Alas! how feeble is fancy afterwards; broken in her wings, and dashed down to the earth, so frequently! or, with an ill regulated and unequal force, only teaching to man the double lesson of the weakness and the strength of his reason!

I, therefore, allow to the Abbé de Marolles some splendid and gayer tints, dwelling in his mind,

mind, and thrown with fond enthusiasm from the memory of early years, upon the picture of the reign of Henry the Fourth. It was natural. Yet what a reign must it have been, to furnish this description, and after such dreadful times ! What a reign, to make the happiness of childhood, and the brilliant and laughing prospects of opening years, be ascribed, by natural feelings, to the public government ! What a beautiful record of the times and of the soul of Henry the Fourth ; of the prince, who expressed it as his first wish, to see a fowl in the pot of every peasant in his kingdom ; a sentiment of homely benevolence (as Mr. Burke has truly said) far surpassing all the splendid sayings that are recorded of Kings ! Under Henry, an assembly of the states was held at Paris, (in the year 1593) where the resolution was proposed and carried by the Tiers etat, that the Pope had no claim of authority over the temporal sovereignty of the realm.

In the reign of Louis the Thirteenth, the last assembly of the states was held, (in the year 1614) that took place in France, till the convocation of the fatal assembly, which met in May 1789. A glance must carry me (were I to dwell on it, I should write a history) from the one period to the other. Oh ! for the pen of Montesquieu ! I could then descend, like Uriel, on a sun-beam.

The reign of Louis the Thirteenth was the reign of favourites, and the characteristic of their poli-

ey (without this their policy would have had no marked character) was opposition, in every thing, to the maxims and measures of the former reign. At least, this was the case in the beginning. The proceedings afterwards were in equal contradiction to the principles of the government under Henry the Fourth, but they were measures very decided and bold.

This King was born in the year 1601, on the 27th of September, and was crowned on the 14th of May 1610; before he was ten years of age. The States held in his reign, met when he was not fourteen. The passions of his mother, and the heats of the times; the divisions of the great, court intrigues, and the fierce contentions of religion, agitated his whole reign.

When Rohan and Soubise were at the head of the Huguenots, in the year 1621, the civil wars seemed as if about to be renewed in all their old destruction. My partialities are all with that description of men. I am a Presbyterian born and bred, (educated in its strictest doctrines, and I am not sorry for it) and I venerate the name. But I imagine there can be no doubt of the recorded fact, (the Puritans in England accomplished *their* purposes) that the Huguenots had formed the design of turning France into a republic. They had even divided it (in their plan) into *eight circles*; the separate governments of which were to be committed to the chiefs of their party. The
cause

cause of the Huguenots was overthrown; and their plan perished with them. Under the dreadful inflictions of after times, (the eternal disgrace of Louis the Fourteenth's savage reign) it was impossible that this crushed and undone people could raise themselves up to any thing beyond the mere contemplation of their absolute wretchedness. Gradually, in this century, they were bettered in their condition. Under the reign of Louis the Sixteenth, they were peculiarly favoured; and they found a powerful benefactor (among others) in M. de Calonne. They formed, at all times, in bondage or in freedom, a great proportion of the mass of population in France. All their weight has gone (and it is a circumstance which I have beheld with great pain) to the support of the prevalent system. Nor have I seen with less sorrow, that while they outraged the political sentiments of their forefathers, (whose republic was never the monstrous thing of our days) they have wholly renounced their religion. Much am I afraid (I am sure I do not wish to offend, but I am indeed much afraid) that the diffidence of religion in our days, is a diffidence only in politics. *Stat nominis umbra*. And it is not a wholesome shade.

In this tumultuous state of things which took place in France, there was no man of sufficient power, or great enough of mind, to balance, or controul, the contending factions. Sully had been deprived of all political power, from the very first

days of the reign. Who was to ride in the storm? There was placed at the head of affairs a favourite and a foreigner.

The Maréchal d' Ancre died most cruelly. I shall not, therefore, dwell upon his faults. He was murdered upon the pont du Louvre. His dead body was insulted and abused by the mob. His lady was beheaded. It was thus he expiated the crime of having seven years governed France.

The Queen mother, whose instrument this Italian had been, retired in exile to Blois. The famous Richelieu, originally raised by the Maréchal d' Ancre, and at this time Bishop of Luçon, had different places of banishment assigned him, and at last was placed in exile at Avignon. These things happened in the year 1617. They put an end, for the time, to the civil wars.

The States General had been held more than two years before this time. I have, from the Advocates' Library, a very curious collection of pamphlets, published, all of them, during the sitting of the States in those days. Really, men do not differ much from men in any age. These pamphlets in every thing; in petulance, in dulness, in vivacity, in wit; in stupidity, in raillery, in gaiety, in absurdity;—sometimes in seriousness, sobriety, and malignancy, are just the same; display nearly the same manners, and the same turn of thinking, the same political arts of ridicule and argument, or the same want of both, as are displayed

played by the political agents of political parties in our days; only that the French were more heated, invoked vengeance in stronger terms, than is usual in political quarrels, and approached somewhat—no, they did not even approach—to the atrocity of their nation in the present times. No man can read these pamphlets, without being convinced, that the States were understood to possess considerable power in the kingdom of France. Were not this book growing to such a bulk, I intended to have given more than one extract.

A great authority speaks, indeed, of the National States, as of much less importance. “ I ought to mention on this occasion,” (says the President Hénaut) “ that as we acknowledge in France no other Sovereign than the King, it is his authority that makes the laws: *Qui veut le Roi si veut la loi*,” (an absurd enough translation of—*Quod Principi placuit, &c.*) “ thus the States General of the kingdom have only the voice of remonstrance and of humble supplication; the King defers to their complaints (*doléances*) and prayers, according to the rules of his prudence and justice: For if he was obliged to comply with all their demands, says one of our most celebrated authors, he would cease to be their King; from this it happens, that during the Assembly of the General States, the authority of the Parliament, which is no other than the authority of the King, receives no diminution;

"tion ; as it is easy to discern in the *proces-ver-*
baux of these last States."

It is thus that the President Hénaut speaks upon occasion of the States which sat at Paris under Louis the Thirteenth, in 1614. The authority upon which the President builds, (besides his own) is a *Pleading* of M. Lamoignon, in the 1719. It is a text this, which, even to a little inventive mind, could never cease to furnish commentaries.

The Roman law, taken out of its place, and perverted in its principle ; ignorance of what belonged to a Gothic king ; of what belonged to a Gothic assembly ; diminishing the King's prerogatives ignorantly ; exalting them ignorantly ; not giving, as of itself, the right of refusal to the crown, and requiring, as of consequences, the unlimited power of refusal in the crown ; the nameless confusion of all thinking with regard to the subsistence of the King's authority during the meeting of the States ; the placing these sources of all legitimate authority, as adverse to each other in existence, as *naturally* destructive of each other in operation ; *on this account*, the dark, undefined, and unprincipled, denial of the rights and powers of the States ; the unmeasurable claims which the States in this obscurity might make ; their unknown power ; their asserted feebleness ; the whole doctrine was bigger with ruin, than it was even pregnant of absurdity ; it disgraced, and it endangered the crown and liberties of France. Yet it

was

was the doctrine of two great men ; of Hénaut and of Lamoignon. How it came to be so, unless by the habit of looking only at things that now are, with a stupid settled gaze, and which takes away the faculty of even seeing things that are, is more than my philosophy can guess at. These claims for the King, however, when there were no civil wars, came to be very extensively and silently admitted, as the law. When such men, as those I have mentioned, held the doctrines, in times near our own ; it is certain that they could not hold them alone. Those who differed with them (and this was what put the poor nation of France between the devil and the deep sea) were, unless as to good and enlightened minds, naturally and necessarily at the Antipodes. Let it not, however, be thought, that the actual power of a King of France was equal to this constitutional claim. It was far otherwise. Unless from circumstances, which would have given power to any other man, independently altogether of any other publicly vested character, the Kings of France actually had little power. Perhaps, (indeed certainly) the claims made as constitutional for their Kings by the public lawyers, and held as inherent in their Sovereigns by the people, were made in a great measure from the plain perception of this actual want of power, which might have been *otherwise* (or so it was thought) so easily overthrown. It was not attended to, that feeble-

ness, by claiming much, is enfeebled still more ; and that the weak ought to conciliate friends, not to create enemies ; that out of extravagant claims are bred extravagant claims ; and that the collision may be pernicious and fatal. It is an undoubted matter, that a King of France, *as King of France*, never had nearly the actual power and influence of a King of England. He had frequently much more *personal* power ; held and exercised like all *personal* power ; precariously and unjustly ; so exercised, because it was so held ; and, from being so held, such in itself, as great personal qualities, of strong counteraction, could alone prevent (and not always prevent) being so exercised.

Besides the General States, the Notables were also assembled under Louis the Thirteenth. No advantages accrued to the nation from the assembling of either.

“ En ce tems là, dit Nani,” (the times of Louis the Thirteenth) “ l’ Europe comptoit entre ses
 “ malheurs, la rencontre des trois jeunes rois, dont
 “ elle avoit à dépendre absolument ; tous trois
 “ très puissans, tres ambitieux, et tres contraires
 “ en intérêts, mais conformes en cela seulement,
 “ qu’ils laissoient toute la direction de leurs affaires à la discrétion de leurs ministres : Richelieu gouvernoit la France, Olivarés l’ Espagne,
 “ et Bouckingham la Grande Bretagne.”

Under

Under the government of Richelieu in this, and in the next reign, much was done in France. "Enfin un favori" (says the Marquis d'Argenson) "mieux choisi que les autres répara ces desordres; et si nous prétendions prodiguer ses louanges, nous puiserions aisément dans l'abondante source de cette spirituelle academie qui le reconnoit pour son fondateur." The abilities of Richelieu who will deny? He humbled the house of Austria: He extirpated heresy; and he broke for ever the nobility of France. Those who look for his panegyrics, will find them assuredly in the place mentioned,

I do not mean to say that there were no remains of the French nobility. There are reliques, and noble reliques, at this day. *Reliquiæ Danaum atque immitis Achilli*. Perhaps, after these dreadful times are past, it may flourish again as of old. But the power of that body, and their chivalrous honour, was grievously crushed (and it has never completely risen again) while Richelieu ruled in France. That kingdom, after his times, had indeed occasion to lament, as the poet introduces Britannia lamenting the death of our Henry Prince of Wales;—

"Alas, who now shall grace my tournaments,
 "Or honour me with deeds of chivalrie!—
 "What shall become of all my merriments,
 "My ceremonies, shoves of heraldrie!"

The

The spirit of France bowed before Richelieu; who was qualified both by his mind, and by the times, to be a master. Far am I from saying that his policy was wholly without excuse. It was the greatest exertion the world had ever seen of short-sighted wisdom.

What shall I say of the age (so French vanity has called it) of Louis the Fourteenth? Before his times Calvinism had received its mortal stroke in France. Rochelle had been surrendered on the 28th of October 1728; very nearly ten years before he was born, and not far from fifteen before he reigned. There was not strength to rebel; but there were numbers to persecute.

Richelieu was no more; but Mazarine came to govern the infancy of Louis the Fourteenth. He had held up the child at the font; and he became the guardian of the King. Every body knows that the minority of Louis the Fourteenth was vexed with civil wars; that his riper years had great splendour; and that his last days set in gloom.

The splendour was false in all respects, unless in examples of individual heroism, which were much more than splendid; and in a blaze of genius which illumined France, and shone, in mild radiance, and shines over Europe. The day had broke before his times; and marked the fuller glories by the rising effulgence.

The

The troubles of the reign were real, great, and many. Religion (as I have said) should not have had great share. It had great share;—in most dreadful persecutions. Even the personal tyranny and cruelties exercised in Scotland, from 1660 to 1688, at which a man's blood boils, were small in comparison of the things done in France. Intestine troubles of any other kind, after the minority, there were none. Implicit obedience (where religion was not concerned) took away, not the appetite, but the pretence of punishment. This great power was wholly of a personal kind. The civil wars of the minority occasioned it; the situation of Europe, and especially of England, occasioned it; France herself, by long and careful training, was prepared for it; when grown up, it was fed into a morbid and portentous size from false national glory; by being power it was terror, and being terror it was power; while it had another face of gaiety and frolic, for occasions when power was hid to be exerted. In a matter known, why should the discussion be long? Every body knows the power of Louis the Fourteenth: But every body does not know that it was only the power of Louis the Fourteenth.

The gloom was real in which this long reign closed; when the false splendours that had played around the crown of France were so faded, that scarcely even a chequered cloud remained, to shew that the sun had once been above her horizon;
and

and when every thing foreboded that the succeeding reign was to rise, though not in thick clouds and tempests like the last, yet in a heavier darkness than even now hung over the nation. Yet the gloom was not of that nature (and such were the circumstances of the times, and the habits of mens' minds in France) as to make Frenchmen look back to those days of better omen, in which another order of things had taken place, and was attended with far other consequences. They saw present calamity, and were sore from recent defeat. They saw nothing more; and felt nothing more; and, instead of retracing old times, they threw themselves with a sort of blind impulse forward upon futurity.

Under the regency, and under Louis the Fifteenth, things went the same train; only marked with less brilliancy and splendour. I am at our own days. But I must return for a short time; and shortly to notice some matters, far from unimportant.

I have a pamphlet, intituled, "The Sighs of France in Slavery, breathing after Liberty," in, what are called, four Memorials. They are said to be *done out of French*, and are London printed, in the year 1689. The first Memorial is of the "Oppression of the Church, of the Parliaments, of the Nobles, and Cities," under Louis the Fourteenth.

The beginning of the first Memorial I shall put down here :—

“ It seems a fond saying, that people are not
 “ the less wretched for having several companions
 “ in their miseries, since it is certainly true, that
 “ the heart suffers much more, when it suffers in
 “ the midst of all others who are happy. Among
 “ all the goods, whose loss we have reason to be-
 “ wail, Liberty is, doubtless, of the principal It
 “ is a hard matter to be a slave in the midst of a
 “ thousand free persons, without being concerned
 “ at one's slavery: Wherefore France ought to rouse
 “ up itself, and feel the weight of the dismal slavery
 “ it groans under, considering the blessed liberty o-
 “ ther neighbouring states enjoy under their law-
 “ ful princes, and in the possession of their an-
 “ tient laws: And the felicity England has newly
 “ obtained, by seeing the fetters broken with
 “ which it was upon the point of being shackled,
 “ ought to revive and stir up anew, in the bosoms
 “ of all good Frenchmen, love for their country,
 “ desires for the return of liberty, and the design
 “ of shaking off the hideous yoke that rests upon
 “ their shoulders. We see all around us, the *Hol-*
 “ *landers* enjoying a happy freedom; the *Flem-*
 “ *mings* under the King of Spain's government
 “ possessing their antient privileges; the *States* of
 “ the *empire* living under a *head*, not in a condi-
 “ tion to oppress them; the *free cities* in *Germany*
 “ retaining the form of republics; the states and
 “ provinces

“ provinces subjected to the Electors and other
 “ Princes, basking in the repose of their fortune,
 “ under a government mild and moderate: France
 “ alone, the finest country in Europe, the noblest
 “ part of the world, finds itself subjected to a sway
 “ cruel, tyrannic; and to a power that sets it-
 “ self no bounds: A free people, and who have
 “ derived the name of *Franks*, or *Frenchmen*,
 “ from their antient liberty, are now under the
 “ greatest subjection of all people, without except-
 “ ing those that groan under the tyranny of the
 “ *Turks*. Now all freedom is lost, even to that
 “ of speaking and bemoaning: Wherefore I send
 “ my voice to foreign countries, in hopes it will
 “ return thence by reflection, and that it will a-
 “ wake anew my countrymen, who sleep beside
 “ me under the weight of their chains. With
 “ compassion do I view the cruel tempest where-
 “ with my country is menaced; I bewail the de-
 “ solation of its cities, the death of its children,
 “ and the loss of what the tyranny of its govern-
 “ ment has left it remaining: I cannot forbear
 “ wishing it a recovery of *reason*, and *courage*:
 “ Of *reason*, that so it may apprehend that the pri-
 “ vileges of the people do not suffer any prescrip-
 “ tion, and do not perish by the usurpation of the
 “ princes, and that thus an age or two of tyran-
 “ ny do not take away the right of recovering its
 “ liberty: Of *courage*, that so it may lay hold on
 “ the present circumstances, the most propitious

" that ever were, for reducing the government of
 " the realm to its *antient form*, and to cast off the
 " yoke of this despotic power, according to which
 " the *French* are treated with a harshness unknown
 " to all the people who live under *Christian* prin-
 " ces. With the interest of the people I cannot
 " forbear considering the interest of the Prince,
 " lawful heir to the throne, to whom the court is
 " going to leave a skeleton of a kingdom, and an
 " imaginary crown. That Prince in the cam-
 " paign of *Philippsbourg*, shewed himself not only
 " brave and prudent, but full of good nature :
 " He now groans at the infernal barbarities that
 " are exercised in the same places, where he had
 " exercised so much humanity ; and we are as-
 " sured, that he will much rather choose to reign
 " as a father under the *antient laws* of the king-
 " dom, than to command as a tyrant, that sets
 " himself above the laws. Wherefore my design
 " is to perform these four things in this tract.—
 " 1. To shew the oppression and tyranny under
 " which all the orders of *France* do groan, and
 " the misery they are reduced to under a despotic
 " power. 2. To consider, in the second place,
 " by what means the Court of *France* establishes
 " its yoke, and now upholds its absolute power,
 " and the abuse it makes of it. 3. We shall see
 " how much the present government of *France*
 " is different from that *under which the monarchy*
 " *was founded, and wherein it subsisted so many*
 " *ages.*

" ages. 4. And lastly, we shall examine by what
 " means the favourable circumstances of the pre-
 " sent time may be improved for the reducing the
 " *monarchy* to its *antient governments*."

These were the objects of this pamphlet. To
 shew how he makes them out, would be to put
 into this work, the whole four *Memorials*. I shall
 mention only two other passages.

In the second *Memorial*, which is concerning
 the oppression of the *people*, the author says:—

" After the *oppression* of the Church, of the Nobles,
 " of the Parliaments, and the Cities, we must see
 " the oppression of the *People*. IT IS FITTING
 " FIRST TO UNDERSTAND THAT IN THE PRESENT GO-
 " VERNMENT, ALL IS PEOPLE. Quality, dis-
 " tinction, merit, and birth, are things no longer
 " known. The Royal Authority is mounted so
 " high, that all distinctions vanish, all lights are
 " swallowed up: For in the elevation that Mo-
 " narch has attained to, all Human Mortals are
 " but the dust of his feet."

I am afraid that by another passage, I will con-
 vict the author of aristocracy, that cannot be par-
 doned, and from which his doctrine of *the impres-*
scriptible rights of the people will not even save him.
 Speaking of the French nobility it is said:—

" This nobility had formerly great privileges;
 " now it is reduced to extremity as well as the rest
 " of the state, and the privileges of the nobles are
 " no more than shadows and cobwebs, that screen

“ them not from any thing. *Their* farmers and
 “ *their* lands pay the King such EXCESSIVE IMPOSTS,
 “ that the whole revenue of the fund* is consum-
 “ ed. Under pretext of remedying some disorders,
 “ which undoubtedly deserved to be minded, in-
 “ tendants have been sent into the provinces, who
 “ exercise over the nobility an insupportable em-
 “ pire, and reduce them to slavery. *Now a gentle-*
 “ *man must have some more than right to gain his*
 “ *process against a peasant.* A serjeant of a town
 “ insults his lord, and is sure of being protected
 “ in all his violences: The lands and farmers of
 “ gentlemen, far from being protected, are more
 “ burdened than others. The gentleman now can
 “ no longer make any thing, save of one parcel
 “ of ground in his hands; the rest may be said to
 “ be for the King. But alas! there are very few
 “ gentlemen that are in this perplexity through
 “ the plurality of lands; they have hardly one to
 “ dwell upon. All the antient nobles of France
 “ are reduced to beggary.”

And, continuing the same subject, and speak-
 ing of the new men put by the new power in their
 places, and of their insolence to the old nobility,
 this author again says:

T “ This

* The word *fund* here, must mean landed estate; the le-
 gal meaning in Rome of the *fundus*. Derivatively from the
 Roman law word, what we call an *heritor* in Scotland, and
landholder in England, was in France *proprietaire foncier*.

" This it is that has bastarded the nobles of
 " France ; formerly so famed for their courage
 " and bravery. The new nobles have not de-
 " rived from their ancestors the blood that makes
 " courage ; and the antient nobles have lost it
 " through the habit of slavery, through the mi-
 " sery and fordidness wherein they are engaged
 " by their present condition. Besides, they are
 " so lessened, that in cantons where were former-
 " ly a hundred families of gentlemen, all making
 " figures, you shall not now find ten. The rest
 " are, as it were, abyssed and sunk into the earth :
 " And the government is at work to alter the
 " houses which still subsist, by the means that have
 " ruined the others."

I am afraid I have ruined this man's credit ut-
 terly with the democratists. Otherwise, what
 would they say to this picture of the feeble aristo-
 cracy of France ; sunk at once beneath the crown
 and the people ! The people were no better for it.
 No ! No ! That is most certain. They were great-
 ly and lamentably the worse. But it was not of
 aristocracy that the state was sick. Its disease lay
 elsewhere.

You see, Gentlemen, what the opinion was of the
 power and government of Louis XIV. in his own
 days ; and that the *antient liberty of the constitution*
 was claimed against it. The slavery of France
 was held to be as recent as it was unjust ; the
 constitution was indeed darkened, but had not
 passed

passed away. Our author speaks; it is true, of the imprescriptible rights, *not of men*, (the human understanding was not fallen so low in those days) *but of the people*. Of them I shall, myself, speak likewise; but afterwards. Yet he claims nothing more for the French nation, than what had been enjoyed in the older times of their monarchy; what had honoured their ancestors and made them free. His judgment and opinions of these old times, appear to have been the same with those represented in this work; that there was always sufficient constitutional knowledge to detect, expose, and prevent absolutely unconstitutional claims, and always (which was greatly better) sufficient national spirit, and individual independence of mind, to resist and overthrow such claims, if at any time they happened, grounding themselves on theory, to proceed into action. Accordingly, what had been unclaimed or unacknowledged of old, he seems to have thought, might safely remain unclaimed and unacknowledged still. In the days of Louis the Fourteenth, he lamented that nothing was claimed by the people; that nothing was acknowledged to belong to the people; that they had lost all remembrance of their rights; and (what was greatly worse) had lost all spirit (feeling oppression as oppression should be felt) to vindicate and assert them.

It is remarkable how this writer speaks of the rest of Europe. He does not fall into the crusad-

ing spirit of these days. He does not require that the nations should be baptised into the new faith of freedom in their blood. On the contrary, he bewails the condition of France, as so unlike that which the other states, he mentions, had more or less retained. This is very different from what is said and done, and will detract very much from his credit and authority, in our times.

But I did not produce this author for the purposes of credit or authority, (of which I leave every one to think as he pleases) but for the purposes of shewing what was thought by those, who stood up for liberty the most in the times in which Louis the Fourteenth reigned, both of the slavery then exercised, and of the liberty enjoyed formerly. And, for these purposes, it is a very striking and lively document.

The same purposes will not be served by what I am now going to produce. But I certainly think, that a lesson as useful as it is awful, (most peculiarly useful in these times) arises from contemplating the dreadful excesses to which uncontrouled power can, not only without benefiting, but by endangering itself, be carried, while it blindly and mercilessly pursues its victims. Neither if (in the Providence of God!) Europe delivered from her present dangers, shall be preserved from destruction, and again placed in security and peace, would I wish it to be forgotten that, though the uncontrouled power of no King can reach the extent

tent of wickedness and misery, can accomplish and fill up the measure of cruelty and desolation, can sweep away and lay bare the happiness and enjoyments and hopes of man, can unloosen, lift up, and scatter, the most antient and solid foundations of states and nations, dissipating and chasing their liberties and rights, "as the chaff of the mountain before the wind, and like thistle-down before the whirlwind;" though this can be accomplished by no King, nor by any power short of that dreadfully incalculable force, which belongs only to the people, and against which the people, even in its most distant approaches, ought to guard themselves, with a fear partaking of horror, as against their most certain and terrible destruction; yet neither would I wish it should be forgotten, that Kings have trampled on the liberties and the dearest happiness of men, that they have multiplied and thickened calamities around that people, whom they were bound to protect, to bless, and cherish; while the energy of their destruction has been as wide in its range as the circle of their power. For such tyrants, where the vengeance of the people has slept; it was a crime. Where the people avenged; it was the heroism of virtue. Perhaps the time may come (in the revolution of evils on this globe; evils nothing like those which we witness) when, with the abhorrence of assassination necessary to the divine feeling and the divine act, it may be necessary for patriotism to call to mind the myrtle wreath,

in which, the poet sings, were hid the swords of Harmodius and Aristogeiton.

At times these ideas will force themselves upon my mind. It is chiefly when indignation at some signal act of wickedness has subsided into calmer, yet uneasy, melancholy. I am then afraid of future times. May not these dreadful risings of the people render, ever afterwards, the people's power an abhorrence to themselves. May not ——— But, for a thousand reasons, I will think of this subject no longer.

The Abbé de Millot, a writer of considerable reputation, was employed by the family of *Noailles*, to compose political and military memoirs of the reigns of Louis XIV. and Louis XV. upon original papers belonging to Adrien Maurice, Duc de Noailles, Maréchal of France, and Minister of State. The work is executed (as was to be expected) in the spirit and with the pen of a *protégé*. But that is neither here nor there, as to the present purpose. The work is introduced by an account of the first Maréchal de Noailles, who commanded in Languedoc, about and after the time of the revocation of the edict of Nantes. His correspondence with the Court contains (the Abbé de Millot says) facts not before known. This correspondence appears to have been carried on chiefly at the time he was Governor of Languedoc. There seems also to be no question, that the Maréchal de Noailles was a good man, as well as

a man of parts and understanding. There is a letter from the famous *Flecbier*, himself a bishop in the very province, in which the Maréchal is extolled in language that could not possibly rise any higher.

Speaking of his residence in Languedoc, the Abbé de Millot says:—

“ His stay in the province, during the last months of the year 1685, was wholly employed in the execution of the Court system for the extirpation of Calvinism. There was to be no more management; the Huguenots were to be compelled into the Catholic religion; terror was to decide and to multiply the conversions. At last, the resolution was taken of sending troops, instead of missionaries, wherever there remained any partisans of heresy, and to quarter the soldiers upon them, until such time as these guests induced them to obey the pious inclinations of the King.”

“ The Duc de Noailles, to judge of him by his character and principles, must have in his mind disapproved of these measures. Forced, however, to execute them, he endeavoured, by strict discipline, to prevent the disorders which were to be apprehended. His correspondence with the Marquis de Louvois, from the 6th to the 23d of October, contains the journals of his operations. It is sometimes difficult to discover in them the Christian sage, who looks upon all

"forced conversion as a chimera. But writing
 "to Louvois, could he do otherwise than accom-
 "modate himself to the Minister's language?"

"The substance of the whole detail is this. On
 "*such a day the soldiers were in such a place, or were*
 "*on their way to it, and the Huguenots were con-*
 "*verted.* The details themselves would be tire-
 "some, I confine myself to those circumstances
 "which give an idea of the thing. It is not the
 "cruel *dragoning*, of which the Calvinists have
 "so often spoken. It is a rapid execution, the
 "apparent success of which dazzles at first the
 "Duc de Noailles himself, a man of sense, of
 "judgment, and attached to the interest of the
 "public. He was ignorant perhaps, in a great
 "measure, of the violences which the dragons
 "committed in several places."

It is very plain, that we are not to have any of
 the shocking details, given us by the Abbé de
 Millot, from the correspondence of Noailles. It
 is needless to transcribe the morsels which he does
 give. The correspondence mentions four cities
 (among the rest Nîmes) being converted all at
 once. And the Maréchal pledges his head, that,
 before the 25th of November, there shall not be a
 Huguenot in the province. In one letter, he says,
 that the conversions went on so quick, that the
 troops never had occasion to sleep more than one
 night at one place. Perhaps, I will not be be-
 lieved

lieved by those who have not read the book; but the Maréchal means to speak seriously.

In the midst of these conversions, the edict of Nantes was repealed.

One part of this edict ordained all ministers, who did not embrace the Catholic religion, to leave the kingdom within fifteen days.

It has been in our times, that we have seen a similar and counter edict, by which all the clergy were banished France, who did not, within a certain time, renounce all religion.

Tyranny is at all times the same in its principles. In our times it has been more dreadful in its acts. Louis the Fourteenth, after all, was a bungler. What was he to Pétion or Robespierre!

I pass on to the year 1687. The Abbot de Millot, in that year, speaks thus:

“Before the Duke left the province, he was informed by the curates and officers, that the affairs of religion were in a good way, both in the Vivarais, and in the Cevennes. His experience had taught him no longer to count upon appearances, which had no solid basis.” The conversions had ceased with the immediate terror that produced them; nor could terror now do all that it had done before. On the Duke's return again into the province, he came with an order of disarming all these new converts.

Four years afterwards, in a letter from the King himself, is a command for all the gentry whom they

they could trust, (many of them were Huguenots) in the provinces of Guyenne, Bearn, Poitou, and Upper Languedoc, being mounted and accoutred, "in order that there may not be allowed to remain, in these countries, any new convert of consideration, able to put himself at the head of those who wished to take up arms." This terrible persecution, before giving this terrible order, had continued more than seven years.

The Maréchal de Noailles was afterwards employed in other affairs; and I shall willingly quit this subject for others also. The cold manner in which the Abbé de Millot disapproves of these bloody measures, while it authenticates them completely, excites our reflecting indignation more strongly. Expeditions were made into the impenetrable passes of the Cevennes, "dans des lieux," (says Millot) "qui sembloient ne pouvoir être habitées que par des ours," and here the criminals (so they are called) were delivered to their enemies, and their houses razed to the foundation. Basville, one of the meaner leaders of this war of massacre, had them executed by *scores*;—the word is the Abbé de Millot's. One silly girl pretended to have visions. A captain of dragoons was sent with his company to seize her. On entering the house, with a pistol in his hand, he was stopped by a country man; whom he shot dead on the spot. Another, aiming a stroke at the lieutenant of the troop, was killed instantly by a soldier. The rest

rest escaped by a window; and the poor girl was carried to prison. These two murders, the Abbé de Millot mentions, should have been prosecuted in the ordinary course of justice. What in Scotland is called a precognition, was taken by the criminal judge; who investigated the matter upon the spot. In the mean time, an order came from Louvois, prohibiting any prosecution. The Duc de Noailles was expressly commanded by the Minister not to permit any. I do not know whether this be not a stronger exertion of oppressive cruelty, than downright murdering. The Abbé de Millot observes upon it himself, and doing honour to himself too by the observation, "that, for a long time, military executions had been more in use as to the Protestants, than the formalities of justice." This justice denied by Louis the Fourteenth, and by the Minister of Louis the Fourteenth, for two foul murders, has been denied formally in France, for murders more unprompted and foul, (why do I compare them!) thousands in a day, and at the very commencement of their revolution too, in its green and tender hours, by the worshippers of humanity (as these fiends have called themselves) and the apostles of mankind's freedom!

I have nothing further to say of this reign, but to mark the beginnings of what overthrew France, still more than all the other calamities.

Hear

Hear the Marquis d' Argenfon.

" Sous Louis XIV. notre gouvernement s'est
 " tout-à-fait arrangé sur un nouveau système, qui
 " est la volonté absolue;" (it should be remem-
 "bered that the Marquis was a Minister himself)
 " des ministres de chaque département; l'on a
 " abrogé tout ce qui partageoit cette autorité."
 And afterwards:—

" Le département qui a le plus gagné est celui
 " des finances. Il n'y a à proprement parler que
 " deux grands Ministères en France, celui des af-
 " faires étrangères, et celui des finances; à celui-ci
 " se sont réunis toute police générale, commerce,
 " circulation d'argent, banque, et toute la for-
 " tune des particuliers; ainsi l'histoire des pro-
 " gres de la monarchie en France dépend depuis
 " M. Colbert, de l'histoire des Ministres de la
 " finance."

" La cause de ces surprenantes attributions n'est
 " pas louable; on pourra dire que ce monarque
 " n'a songé qu'à avoir de l'argent, puisqu'il n'a
 " vu le bonheur de ses sujets que par les yeux de
 " son grand Trésorier, et ce reproche n'est mal-
 " hereusement que trop fondé."

The Marquis d' Argenfon goes into this subject
 at large. I shall not do the same. There can be
 no question of the fatal effects produced by this
 new system of prodigality. It was necessary to
 support the magnificence of the reign, and it pre-
 pared the calamity of the reigns that were to fol-
 low,

low. It could not be that ministers were to be always found, like Colbert, who provided at once, for prodigality and practised economy. And though there had been a generation of *Colberts*, the two things, naturally opposite, could not have been long reconciled by any man.

There is a most singular passage in the works of Mr. Burke, now considerably upwards of twenty years ago, which I cannot forbear quoting.

"I speak from very good information," says Mr. Burke, "that the annual income of that state (France) is, at this day, thirty millions of livres, or 1,350,000 l. Sterling, short of a provision for their ordinary peace establishment; so far are they from the attempt, or even hope, to discharge any part of the capital of their enormous debt. Indeed, under such extreme straits and distraction labours the whole body of their finances, so far does their charge outrun their supply in every particular, that no man, I believe, who has considered their affairs with any degree of attention or information, but must hourly look for some extraordinary convulsion in that whole system; the effect of which on France, and even on all Europe, it is difficult to conjecture."

The singularity of this prophecy, and its accomplishment, cannot pass without observation. But I did not cite it for this purpose. This bankrupt state of the government (in which it was impossible

sible, without the application of some strong and some principledly applied remedy, that it could continue to stand) was the effect of great and new personal power, and of great and new consequent personal profusion. The great power, not of the crown, but of him who wore the crown, and not of him so much, as of his ministers, caused all, and justified all.

This power, so destructive to every thing besides, was highly favourable to the principles and to the progress of democracy. The Marquis d'Argenson has a whole chapter (in his *Considerations on the Government of France*) employed in tracing the progress of the democratical spirit, and auguring blessings from it.

“ Nous avons donc aujourd' hui pour nos espérances, et despotisme et politesse. Une monarchie n'arrive gueres au despotisme que par l'aristocratie; les ministres et les grands, travaillant pour le monarque, croient travailler pour eux-memes; ils abaissent le peuple, ils élèvent le Trone parce qu'ils y touchent de pres, et qu'ils dedaignent le vulgaire; mais quand le Trone est affermi, le monarque se trouve toujours plus ami de la démocratie qui lui est soumise, que de l'aristocratie qui l'offusque.”

He goes on to speak with great wisdom.

“ Parmi les membres de l'aristocratie, il faut compter tous gens riches; la richesse est une distinction réelle chez toutes les nations: on fait

“ fait que la première dénomination des grands
 “ d’Espagne fut d’homme riche, *rico hombre* ; et
 “ malheureusement plus les nations se policent,
 “ plus elles reconnoissent l’usage et l’avantage
 “ de l’opulence.”

“ Si les rois prennent ombrage des grands de
 “ leur état, ils en trouvent les memes raisons con-
 “ tre les citoyens trop riches. La conclusion de
 “ ceci chez les Turcs feroit qu’il faut abattre des
 “ tetes si hautes, et sur-tout aproprier leurs dé-
 “ pouilles au fûc ; mais chez des gens raisonnables,
 “ cela doit rapprocher de la démocratie, qui ne
 “ tend qu’ à l’égalité des fortunes.”

“ Le progres de l’aristocratie doit toujours etre
 “ pris pour un signe certain de la foiblesse du des-
 “ potisme, et celui de la démocratie comme un
 “ grand effet de sa vigueur. Nous croyons que si
 “ l’on a jamais prouvé quelque chose par les faits,
 “ c’est cette verité dans le chapitre précédent. Si
 “ toutefois il est arrivé que François I. et Louis
 “ XIV. ont retardé la démocratie par la vénalité ;
 “ qu’ on attribue cela à une cause toute etrangere
 “ à ma preuve. Ils voulurent tirer des sommes
 “ extraordinaires de leurs peuples, et ils eurent
 “ volontairement la foiblesse de se servir de moy-
 “ ens detournés ; ainsi c’etoit plutot par défaut
 “ d’autorité suffisante, que pour le bien même de
 “ leur autorité ; ce qui confirme encore ma pro-
 “ position.”

He

He then goes on more to detail. The proofs alluded to in the former chapter, are of the financial system, and of the power of the crown which accompanied, or was accompanied by that system. His theory certainly agrees with the history. Yet in the progress of democracy, it would have astonished him indeed to see, that though the *kings* of France durst not play the Turk, the *people* of France yet could far exceed him.

I shall quit this preliminary matter immediately. I have only to consider a passage or two, and to add a thought or two, more.

It was in the beginning of the reign of Philip the Hardy, that the first *lettres d'annoblissement* were passed, in favour of *Raoul*, the King's goldsmith or jeweller. Philip the Hardy began to reign in 1270.

“ Cette introduction nouvelle” (*says the President Hénaut*) par laquelle on rapprochoit les
 “ roturiers des nobles, et qui fut appelée anno-
 “ blissement, ne faisoit que rétablir les choses
 “ dans le premier état. Les citoyens de la France,
 “ même depuis Clovis, sous la première, et long-
 “ tems sous la deuxième race, étoient tous d’une
 “ condition égale, soit Francs, soit Gaulois ; et
 “ cette égalité, qui dura tant que les rois furent
 “ absolus, ne fut troublée que par la révolte et la
 “ violence de ceux qui usurperent les seigneuries :
 “ ce n’est pas qu’il n’y eût sous les deux premières
 “ races, des hommes plus puissans que d’autres ; et
 en

" en effet on auroit peine à comprendre com-
 " ment des Gaulois ou des Francs, revêtus de
 " grandes dignités, auroient été du même ordre
 " que les autres citoyens ; mais cela vient de ce
 " que l'on confond l'autorité, avec l'état des
 " personnes ; on ne sauroit nier qu'il n'y eut des
 " hommes plus considérables les uns que les au-
 " tres, mais cela ne faisoit pas que les distinctions
 " dont ils jouissoient les rendissent d'une autre na-
 " ture, pour ainsi dire, que leurs concitoyens ; ils
 " en étoient les premiers, mais ils n'en étoient pas
 " séparés, et les charges de l'état étoient égale-
 " ment portées par les uns et par les autres, à la
 " différence des tems postérieurs, où la noblesse ob-
 " tint à cet égard de grands avantages sur la ro-
 " ture."

He then proceeds to contest the system of Mon-
 tesquieu. *Vestigia nulla retrorsum.* Nor does Mon-
 tesquieu need defence. In short, it is impossible
 to enumerate and detect the false thoughts, and
 misapprehended facts, in this short passage, unless
 in a long discourse. Certainly, the President Hé-
 naut is right in one thing, that, because there
 were men more powerful than others, this was no
 reason why the distinctions they enjoyed, should
 make them of another nature from the citizens at
 large. This is most indubitable. But, notwith-
 standing, there were distinctions, and very mark-
 ed distinctions, of rank in France, under the first
 and the second race. Much and great as I hold

the freedom of these old times to have been, I cannot find the equality of the President Hénaut; nor do I believe that when Philip the Hardy made his goldsmith a nobleman, he either restored the customs, or imitated the liberty of old times. At the same time, the thing itself I am far indeed from blaming. Why should the goldsmith not be a noble, if he deserved it? Nay, in one respect, the President Hénaut is very right; or, rather, he is very much more wrong; for there were certainly instances of persons being raised, or raising themselves, from a lower to a higher station, among the Franks of the first and second race, as in every other age of the world.

While I speak thus, I entertain the highest respect for the President Hénaut; and while I speak thus also, I do not mean to say, that I agree, at all points, as to the nobility of the old times, even with Montesquieu.

The nobility of France continued to exist (nor do these *lettres d'annoblissement* appear to have diminished their dignity and honour) as a great and renowned body, for centuries after the nobilitation of Raoul the king's jeweller. The thing would have looked as well in a Calif of Bagdat; but that is no matter. It was sparingly done afterwards; and all things were much as they were. The scythe of Richelieu had not yet shaven France, nor had the speculatists of modern times levelled their nation with the democratic roller.

In

In and after the times of Louis the Fourteenth, the abasement became great. I shall employ again the authority of the Marquis d'Argenson.

“ Voici cependant à qui se réduit aujourd' hui
 “ toute l' aristocratie du gouvernement François, et
 “ toute la part qu'y a la noblesse ; le commande-
 “ ment des armées et le service militaire. Les af-
 “ faires de la guerre ne donnent qu'une autorité
 “ passagere, et qui se borne à la durée de chaque
 “ campagne ; ajoutez à cela un grand air d'im-
 “ portance, des distinctions brillantes, mais seule-
 “ ment extérieures, quelques charges à la cour,
 “ agréables par l' accès près de la personne du
 “ prince, mais contrebalancés par la défiance
 “ que les ministres lui donnent de ses courtisans,
 “ quelques graces lucratives et injustes, l' occa-
 “ sion de nuire plutot que de servir, une occupa-
 “ tion continuelle d'intrigues d' argent et de ven-
 “ geances, un vain éclat qui reluit au loin, et qui
 “ ne soutient pas l' examen, un meilleur air et
 “ plus de gout dans les discours et dans les modes,
 “ de grandes terres titrées et negligées, des dettes
 “ et des injustices.”

The vivacity of this description does not alter its truth. I am sorry for it. But we go on, Gentlemen.

“ Toute l' autorité essentielle du gouvernement
 “ a passé entre les mains de l' heureuse ROBE. Les
 “ fonctions des grands officiers de la couronne sont
 “ à présent confiées à des Bourgeois constitués

“ dans des dignités amovibles, successeurs de ces
 “ clercs sur qui les anciens nobles se reposoient de
 “ la peine de savoir lire et écrire, et de demeurer
 “ dans les villes, tandis qu’eux alloient regner dans
 “ leurs fiefs. Ces hommes nouveaux, accoutumés
 “ de jeunesse à toute la dureté de cœur nécessaire
 “ pour disposer froidement de la vie, des biens, et
 “ de l’honneur des citoyens, sous les titres ignobles
 “ de secrétaires et de contrôleurs, font trembler les fils
 “ de leurs anciens maîtres, ils les dégradent, ils les
 “ rebutent, et ils les envoient à la mort pour des querelles
 “ que les magistrats disposent tranquillement dans leur cabinet.”

“ Mais cette institution de la Robe destinée pour tout
 “ équivalant de la grandeur réelle, à plus de flexibilité
 “ et de travail, fort insensiblement de l’état de modestie
 “ et d’amovibilité, qui faisoit son principal mérite, et
 “ elle retombe dans les mêmes abus qui ont arraché le
 “ gouvernement des mains de la noblesse. L’hérédité s’accroît
 “ toujours dans les premières magistratures, les survivances
 “ deviennent fréquentes, même dans le ministère, le
 “ déplacement s’exerce le moins dans les places qui le
 “ demanderoient davantage. Ceux qui s’y trouvent tombent
 “ dans une mode d’inaction, et se font doubler par des
 “ subalternes, qui, eux-mêmes trop considérés pour
 “ travailler, font faire leur ouvrage par d’autres
 “ commis inférieurs.”

I might

I might quote a great deal more, and to exceeding good purpose. But I stop here.

The Marquis d'Argenson was a reformer, at a time when good men could be reformers. Those days are unfortunately gone.

He proposed a plan of government for France; which is printed. There is no question that France needed a better government. You perceive, Gentlemen, what were its abuses, and how they came on. They were dreadfully increased by the philosophers. The history is in Mr. Burke. Who would again attempt what has been performed by him! I come to our own times.

Louis the Fifteenth had unquestionably been popular during a considerable part of his reign. He as certainly had outlived it. Instead of even decent grief, it has been said that his death caused (in some instances) unbecoming displays of an opposite sensation. The eyes of the kingdom were turned to the new monarch, young, and endeared to the people both by his own character, and the remembrance of his father.

It is common not only to value highly, but to value above their deservings, the memory of princes who die young, or before they reach that sovereign power to which the hopes of the people destined them. But the Dauphin, father of Louis the Sixteenth, appears to have been a prince to whom the love of the people was the duty of the people; his right and his reward. It is a well

known fact, and has been frequently mentioned, that the Dauphin formed himself upon the example of the Duke of Burgundy, the pupil of Fernelon ; the delight of his preceptor, and the darling of France ; under whom the French believed (and it might, perhaps, have partly been realized) that the golden age was to recommence in their nation, and all their evils were to cease. Certainly, the Duke of Burgundy had resolved to assemble the national states, and to revive the old constitution of the French kingdom. His mind was full of antient heroism and virtue ; and it was filled equally with that benignity which predominated in the character of his amiable and accomplished master. Telemachus was the Duke of Burgundy ; but, instead of the desert rugged Ithaca, he was to govern a powerful nation, to hold a sceptre transmitted from innumerable kings, and to guide the destiny of Europe. In times more favourable than those which fell to Henry of Navarre, this young prince might have outdone all that monarch did ; perhaps all he could have done. It is hidden in the darkness, with which Providence covers from mortals, the mysteries that it ought not to reveal, why this excellent prince, and this great good, were denied to the French nation. His remembrance lived in the hearts of all men, while any man remained with a human heart in France. I believe he was even insidiously and treacherously praised.

praised. What a hypocritical overthrow it has been, the overthrow of this great people !

The memory of the Dauphin, his father, was revered by the young sovereign of France, with a devotion equal to that which the Dauphin had displayed for the Duke of Burgundy. He had all his father's attachments and aversions. Anecdote says, that he could not conceal dislike arising from these dispositions. History ought to record, that the maxims which governed the last reign, were discountenanced and exiled.

France had been governed by mistresses for a long period. This evil had begun in the times of Louis the Fourteenth. A very great portion of his successor's reign had been the domination also of favoured women ; and in an authority of this kind that reign closed. The empire of mistresses, among the other presages of happy fortune, was at an end in the new reign.

The government of these female favourites raised by the personal attachment of the sovereign to such an eminent authority, was not more calamitous to the nation than the government of ministers had frequently been. Both learning and rank had knelt at the footstool of the mistresses of Louis the Fifteenth ; and if the praises of the Fathers of modern science legislation and morals, are to be considered as worth any thing, these female sovereigns held the sceptre of a willing and not unhappy people. Certainly, their dominion (degrading

as it was for a kingdom to be so ruled) was something more liberal and dignified, and to which a spirit of some mettle and manliness could with less feeling of ignominy accommodate itself, than the most easy, and merciful, and least oppressive parts of the new tyranny of France, in its first and gentlest beginnings. Any of the old sages, who still remain, or the younger disciples who have come into their places dispositions and doctrines, could not but find it difficult (with the greatest willingness) to apply the same terms of praise, to the females who since the revolution have grasped so fiercely and outrageously at the dominion of France. Yet if there is any female who partakes the bed, and influences the counsels, of Marat or Roberfpierre; if any woman's bosom receive the counsels, or direct the conduct of Petion, it may be a task equally agreeable (perhaps much more so) to the philosophical poets and poetical philosophers of the day, to celebrate their dignified charms and attractive virtues, so fitted for guiding and adorning a nation, than it was for Voltaire, and his mimics or equals, to lavish what they had of the Muses at the shrine of Pompadour. It must indeed be much more agreeable, and much more suited to their natures; for this last was, in comparison, an honourable and a manly office.

The French *heroines* (this is the name by which they are known in the *Faſti* of democracy) who now rule that nation, directly or by influence,
were

were at all times remarkable in Paris. Only a few years ago, they displayed their consequence and their loyalty in the same places where they now give the signal or the command for cowardly murder. When the Countess d' Artois made her public entry into Paris, the *Poissardes* with songs and dances accompanied the procession, and displayed all the brutality of loyalty, as they have since done of rebellion. I do not speak of them as common mob. They were the leaders and commanders of the mob; and are now, therefore, and of necessary consequence, the leaders and commanders of this degraded people. They have not risen to any higher authority than they had formerly. It is only all other authority that is removed. Such is the majesty of the French nation!

The rule of favourites who shared a prince's bed, and who were humanized and controuled even by the vices of Courts, was a golden and happy age to the present. It was right to state the contrast. But I now go on.

Different maxims, different measures, and different men, characterised the new reign; and gave it an honourable distinction, from what had gone before it. The recal of Maurepas; the employment of Turgot, and afterwards of Necker; the whole order of things announced a revolution of public policy, favourable to the best interests of
the

the nation. The King delighted in his people ; and the people seemed to delight in their King.

Reformation began with the reign. More or less, it continued till the calling of the first Assembly. I had once an intention of stating the transactions of the first years of Louis the Sixteenth somewhat in detail. I have so much matter besides, that this cannot well be done ; and it would form, to a man of knowledge and sufficient leisure, both an important and fruitful separate subject. It should be remembered (yet there are other things equally worthy of remembrance) that some of these reforms introduced by Turgot, were reckoned by the parliament of Paris so destructive to all the antient order of things, that the liberal and free Turgot, the republican Turgot, thought it fit to advise the King to that instrument of tyranny, avowed and irresistible, *a bed of justice*, in order to compel his parliament to the registration of these reforming edicts. The King followed the counsels of Turgot, in this, as in other affairs. He came to his parliament in all the terrors (mild terrors in him) of absolute sovereignty. He told them, that he did not intend to part with the lawful authority of the Crown, nor to destroy all distinctions of ranks among his subjects ; that their fears on this head were groundless, and that the edicts must be registered. I do not enter into the question of reformation. There was much need
of

of reformation. But the King's power was evidently used to destroy the King's power.

Turgot seems to have been the first who introduced the vile and ruinous practice of prefacing his plans by pamphlets. These were previously sent abroad to sound the public mind, or to excite it. It was then that the new dynasty began in France; the royal family of democracy; authors, printers, and booksellers; the new sovereigns of mankind, with a pen for their sceptre, and for a truncheon a pamphlet. Under him were the great beginnings of this inglorious and bloody line!

Turgot was dismissed in intrigues. I do not justify intrigues. There have been many unjustifiable and fatal intrigues for displacing ministers in Great Britain. The same intrigues which dismissed Turgot, brought in Necker. This last minister was not an *economist*; but his other qualities, (though unlike the former minister in his political philosophy) and his general character, principles, and situation, made his choice a much more conspicuous example of change in the policy of government, than the selection even of Turgot had been; a man of an antient family, of great connexions, who had devoted himself early to public life, who had borne eminent offices in the state; while Necker was a Protestant, and a foreigner, and a merchant.

This

This economical philosophy had, and has its admirers. It is partly captivating, I do not deny. A minister of that sect was a great triumph, and a great and solid advantage to the sect itself. It did not lose its consideration with Turgot's fall. And though Necker, as a theorist, had nothing to do with it, yet his ministry was not of a kind to discredit or stop the progress of its principles. Especially as these principles accommodated themselves to every thing that was new, and in any respect experimental. Besides, not to counteract, or to oppose without suppressing, was all that this new science required to its growth.

Mr. Necker did not immediately succeed Mr. Turgot. There were two ministers of finance interposed between them; Turgot having been dismissed in May 1776, and Necker not appointed till the 2d of July 1777. The two ministers were M. de Clugny, and M. Taboureaux des Réaux. The first was in office about six months, and the latter about seven. The administration of the latter might be considered as the administration of Mr. Necker, (perhaps of the former too) who was in the ministry, though not placed for some months at the head of the financial department, from the year 1776.

In the mean time, France made her alliance with America. Paine has declared in his Rights of Man, that the American people lay under obligations that can never be repaid to the King, and especially

especially to the Queen of France. It was the Queen (as he says) who first, and alone, made the American cause favourable at the court of France; and which became, in a short time, so eagerly and strongly the cause of the nation. An Englishman cannot speak on this subject with sufficient impartiality; and he would be most unjust, on the most unjust side, and partial even wickedly, if he did not hold the interference of France in that memorable controversy, as a faithless and disgraceful transaction, in the face of all national honour, honesty, and justice. It could be defended by nothing but the rights of men, in the modern acceptation. America might have (and had in the conclusion) a just cause against Great Britain. It was *victrix causa*. *Dius placuit*; and it would have also pleased Cato. But it was not just for France. Nor had France, at this time, reached that summit of hypocritical infamy on which she now stands, and from which she holds out her false evangel of freedom to enslave the nations; like the flying roll which the prophet saw in vision, "the curse that goeth forth over the face of the whole earth." France sought nothing, and pretended nothing, but her own aggrandisement, and the humiliation of Britain. It was a dazzling prospect. The morality of nations could not summon up virtue enough to resist the splendidly fascinating view, which streamed in long glory across the Atlantic, settling in burning radiance

radiance on the crown of France. America found France an ally as faithful as she was powerful. France saw her own greatness in the fall of England; but she was too honourable to seek to fraternise America. However unjust were the motives of the alliance, the service performed was that of fidelity and honour. America had contracted, not with the republic of France, but with the crown of that kingdom.

England fought for her existence. Often her star became dim. The times indeed were awful. She had not justice to strengthen her arm. The nations combined against her; and courage sprung up with right. Again she relumed her fires, and shone out with her own splendour the first among the nations.

The glory of France was fading away. No advantages in great reputation or solid acquisition had been made, to repair the immense waste of treasure which had supported the American alliance. Before the war closed, Necker had retired from all concern in the administration of public affairs. He was succeeded by M. Joly de Fleuri in 1781. He continued two years. I am remembering the maxim of the Marquis d'Argenson, that the history of France was the history of the ministers of finance. It was not so now, in the sense the Marquis intended. The ministers of finance had now to save (if they could save) the state; not to supply the expences of the sovereign,
You

You will recollect, Gentlemen, how these were retrenched, and how the retrenchment was celebrated by Dr. Price. But the load on the nation made it to stagger. I go on, therefore, with the ministers of finance.

About the end of March 1783, M. d'Ormesson was put in the place of M. de Fleuri. He continued till the third of November of the same year, when the financial administration of the kingdom of France was intrusted to M. de Calonne.

M. de Calonne is a man whom I will not praise; in which I am often led to think that I am exceedingly unjust. Early impressions, at the time of life when I formed them, are not easily got over. I was a great partisan of Necker. I read some of their controversies (which I shall not read again), and I was a partisan still of Mr. Necker. I shall never in my life speak against Mr. Necker; at least I think it scarcely can be; not even for his having unwillingly, honestly, vainly, criminally, ruined the monarchy of France. I sincerely lament the fallen situation of a worthy, a good, and a very able man. I do indeed; and most sincerely. This is a subject from which I must turn. It is a very sacred duty, to have once loved any person.

My friend has talked of M. de Calonne in a way of which I am absolutely ashamed. His language, even as the language of truth, would be coarser than strong; and I am no user of soft words

words or dainty phrases. But not a single fact, or allegation of fact, (barring epithets, if epithets be allegations) is to be found in my friend's book, against M. de Calonne; nor in any book nor record that I know of. I here openly profess my ignorance; and I neither like to be thought nor called ignorant, where any knowledge can be obtained. I know nothing to warrant the charges made in such violent and unqualified terms. And as to the conduct of M. de Calonne, since he fell from power, it must be a moral eye of very strange conformation, which, viewing him as a Frenchman and a loyalist (unless the character be held in itself a crime), does not perceive him most courageously performing, and very greatly to his honour, what belongs to a Frenchman and a loyalist, with the spirit and the motives of a loyal Frenchman. If it be this spirit, and such exertions, that call down on him these denunciations as from fear, then others will have pronounced (and among them my friend) that merited panegyric on this statesman, which (for no good reason, yet I cannot help it) has not been pronounced by me. Judging of the past by the present, and laying aside merely financial controversy, we must lament that he was not sooner and longer the minister of France. *Trojaque nunc stares, Priamique arx alta maneres!* While such accusations, and on such grounds, are made against him, who but his enemy would be his defender!

The

The administration of M. de Calonne was certainly an administration of great talents. But France was plunging. He continued in office till April 1787. He had a successor, M. Fourqueux, who held the office three weeks; and afterwards M. de Villedeuil, not so long, or as shortly. The Archbishop of Sens came in his turn; and then the second ministry of Mr. Necker. Let us consider, before passing on, and more leisurely, this administration of M. de Calonne.

It was a most important period. The financial operations, and indeed the whole management, I neither enter into any consideration of, nor justify, nor condemn. Situation and circumstances, a situation more dangerous and circumstances more urgent than had ever been known, called for great and new exertions. I do not speak of the *deficit*, or *non deficit*, nor of the *Compte rendu* of Necker; nor whether it was just, and rightly calculated, or that the accounts and calculations of M. de Calonne were to be held the true and fair statements. France was in great and deplorable want of public means for the public government under both ministers. It was necessary that these means should be provided by both. It was necessary that permanent schemes, taking in the whole system of financial provision and regulation, should comprehend and guide futurity; looking forward, and going beyond present necessities and times. In former times, France had been nearly as much, some-

times more distressed than she was now, or was likely long to be. But at no former times had her sovereign wished so much to relieve her, nor had the people themselves so strongly felt that they needed and were entitled to relief. The combination of these circumstances, leading to unguarded concessions, and flagitious demands, was the overthrow of the French nation. The financial difficulties were (very probably) the chief reason, why this minister called the Notables, and thought of assembling the States. It is certain that he called the one, and thought of assembling the other.

One great enterprize of this administration, and at the same time a great source of expence, was fortifying the port of Cherbourg; among the most stupendous undertakings that has been known in the world. The King visited Cherbourg in the year 1786. His journey was as the journey of the people's father. Nothing betokened a reverse of the scenes, which must have gladdened his heart so greatly. At this time, the King went even beyond the French territory. He was half way over to see the island of Jersey, when he turned back on the appearance of a storm. Little could he then imagine, that home was soon to be the most hostile region he could visit; his lonesome prison and his early grave!

The fortifications of Cherbourg were a mighty charge; but I have never heard it said that these expences were not necessary and national. Yet
national

national as they were, they increased those burdens which the nation loudly were declaring their unwillingness to bear.

The means for promoting the nation's prosperity were not in the mean time neglected. By one measure of the administration (which forms a strong contrast to the detail given above of the cruel persecutions of Louis the Fourteenth) strangers, without any distinction of their religious persuasions, were invited to settle in the kingdom of France, with ability to purchase lands, and to enjoy the common rights of citizens. This measure occasioned a sort of re-emigration into France from America. About a hundred families of Quakers and Baptists, secure of the enjoyment of their religious as well as civil rights, came to settle in a Roman Catholic country, and to be the subjects of a Roman Catholic king. In conformity with this indulgence to the religion of strangers, the privileges of the Protestants at home began also to be restored. M. de Calonne had only the merit of beginning what was afterwards completed, when he had been driven from his station. It is well known the return (and I have observed it already with great grief) that this part of the people has made for the benignant interference of the crown.

As to the peasantry of France, their condition also was considerably bettered; and they were only the beginnings of what was to be done. The

relief given them, in many cases, was real and substantial in the present instance ; and, in all, it contained and held out future and permanent securities against oppression. One grievance loudly complained of in France (which certainly might be used, and frequently was used, for oppression, and which in all cases was inexpedient) similar to our *statute-labour* in Scotland, but carried to a greater extent, in repairing and constructing the public roads, was now done away. The oppression in too many cases had indeed been grievous. It now ceased.

Another great measure brought forward by this minister, was the establishment of a territorial impost, similar to the land-tax in this country. But this was after the convocation of the first assembly of the Notables ; and of this it is necessary previously to speak.

No assembly of this kind had been known since the days of Louis the Thirteenth ; more than of the General States. In their nature, they were more a council of advice, than a meeting of legislative deliberation. And this was rightly so ; for they were not chosen by the people ; who could alone give legislative character and legislative powers. The Notables met on the 22d of February 1787.

It was in this assembly (among his other plans) that the minister brought forward the new scheme of the land-tax. Opposition arose on all sides.

M. de

M. de Calonné has not been accused (that I know of) as being deficient in spirit or firmness: But the opposition was such, against which no man could stand. He left France for England.

It is a singular record in the history of mankind; that this measure should have been most violently opposed on the ground of the privileges and immunities, and separate rights, of the several provinces; and that the people should have thought their liberties in this way, as in others, infringed and endangered by this tax, when the very first acts of their constituting assembly, were to take away the names and the rights of their provinces, and to make a completely new territorial division of the whole kingdom. Some of the declarations on this head, however, (unjustifiable and unreasonable as they might be in point of *policy*) were sure signs of there being fundamental and constitutional laws in the kingdom of France; when it was denied by the law officers of the crown in the provinces, that any authority in the state, even that of the King himself, could assess this equalizing tax, contrary to the capitulated rights of the people.

The higher orders in the kingdom were enemies to this measure. The people, the ignorant people, who shuddered at the name of tax, and did not know how much this plan of taxation was to relieve them, were greater enemies to the measure still. Not two months, accordingly, after he

had called this assembly, M. de Calonne was in exile, and only by being in exile in safety.

The appointments to the department of finance, which took place upon his retirement, were (as I have mentioned) short and occasional. Not long afterwards, the Archbishop of Sens was nominated minister in his place; and with both more ample name and powers than M. de Calonne.

On the 25th of May, after sitting about three months, the convention of Notables was dissolved. With very considerable heats and divisions, they agreed in some measures of no small relief to the people of France. The only permanent and great effect this convention produced, notwithstanding, was to excite a very universal and a very strong desire for the assembly of the national states. Nothing at all was done to diminish, or to put in order, the public burdens; which continued with a heavy and dreadful pressure upon the kingdom and the crown.

In stating what was done of wise and good (or of what was intended to be done) under the administration of M. de Calonne, I do not mean to give that administration any exclusive praise: its merit was in common with all the administrations of the reign which had attempted or effected improvement and reformation. Its faults also were in common; though there were certainly in its schemes, more of futurity and permanency and system. The faults, the vices, the crimes I will call them,

them, of this reign, and of its ministers, against the dignity of the crown itself, and its rightful authority, were unprincipled expedients and vague concessions; throwing every thing loose, and often, after this was done, not obtaining their purposes. That greatest blessing, and that only security of a government, stability, was wholly unknown in France. The people (most fatally for themselves) perceived, what much pains was taken to teach them, that government itself was greatly ignorant of what were its rights and its duties.

It would be very unjust to say, that the ministers themselves, in every case, were the cause of this unhappy situation. It arose from circumstances which ministers frequently neither made nor could mend. But unsteady and causeless policy (if such policy is to be called by such name) increased the evils, where they did not create them.

But if this had been the case formerly, it was now such, to a degree, not only before unknown, but unconceived. It was not merely the fact of history; but the system of management.

When the Archbishop of Sens came to the administration of the government, the spirit of democracy had begun already to walk abroad. Its voice indeed had often been heard before; but it was only in the cellarage; in the low tones of ambiguous philosophy, and the half uttered maxims of cheating wisdom. Where the language was plain, and the delivery bold, (as in some cases it happened) the voice was a distant voice; it was

made to speak of other people and times; with applications not made but to be made. It came nearer now; and was more public. The rectified essence in the vial of philosophy took also now a grosser shape; such as could be discerned plainly and materially by thick vulgar sense, and could excite and command and direct the necessary passions and operations. Not that this spectre had not been seen before, even by the people; the forerunner of their dreadful doom. But it had not before *worked i' the earth so fast*; it did not begin till now to be *hic et ubique*, and not to be avoided even by shifting ground. The Archbishop of Sens appears to have alternately beheld it with terror and indifference. Certain it is, that the cravings of democracy, whose distant howlings for its prey were now heard distinctly, were fed and not appeased by this minister. It was kept alive, this savage spirit, and nourished and starved by turns into more than native fierceness. After these services performed to his country and his king, the Archbishop left them to the struggle.

Now came Necker for the second time; and in him were placed the hopes of the King and the nation. It was in the month of August 1788, that this statesman returned to the kingdom and to the government of France. The effects of his restoration to power were certainly both great and immediate. Commotions almost universal had begun, or were beginning, in the kingdom. The
former

former minister had quitted the administration in a storm, which settled in dreadful blackness on the nation ; and through which no eye of hope could reach to the other side. The clouds gradually rolled off ; and Mr. Necker had been indeed but a short time minister, when almost every thing was serenity in France. Many probably call this (I certainly do not call it) a deceitful calm. I do not think, and can never bring myself to think so ill, of what was the French nation. It is a cruel and afflicting history, how this prospect was overcast ; and how the day set in horrid gloom on this great people.

The measures and the events of the administration of the Archbishop of Sens are closely and necessarily connected with the subsequent measures and events. They were generally (and very general my notice shall be) as I shall now shortly state them.

After the convention of the Notables had been dissolved, the necessities of the times still demanded taxes ; and the plans which would have rendered these burdens lighter, both in the present, and for futurity, having been rejected, what was to be done ? The nation were unwilling to give ; and the nation could not subsist without giving. There was a necessity of taxation or plunder. In this situation it was, that the parliaments, and especially of Paris, began that war of remonstrances, which overthrew the King's power and their own.

own. It required very strong motives to justify the parliaments in resisting the will of Louis the Sixteenth; in whose reign and by whose protection they had been restored from their great humiliation.

But I will not mince matters. I well remember the time, when I rejoiced and gloried and exulted in the opposition made to the will of the Court by the French parliaments. Nor is this wonderful; for my heart bounded in very ecstasy at the destruction of the Bastille. Neither as things then appeared (and SHOULD have appeared) to me, am I ashamed of having rejoiced at the events of that flagitious and bloody day; now joined by the Parisians themselves, (in their public addresses, and thus authenticated) with the tenth of August and the second of September! Yes, I well remember the day, and the feelings of the day. I was on my way, in the morning, to the Parliament House (I never shall forget it) when the first and early news of it was communicated to me, and in a frame of spirit not to be much pleased, as far as sorrow could affect a heart not naturally formed to be unhappy. I heard the news; and I trod in air. Scarcely now (and the days of gladness ought not yet to be past) could the ecstasy of rapture and triumph be more, were I to hear of the Duke of Brunswick, with the Princes of the Bourbon race, having entered victorious into France, placed the ORIFLAMME in the centre of
Paris,

Paris, and restored again the name of French gentlemen in their country! *Bien avons quenu que vostre Seigneurs sont li plus hauts homes, que soient sans couronne!*

It was not, therefore, wonderful that he who could joy in the dreadful and abominable proceedings of the fourteenth of July 1789, should view with delight and approbation the conduct of men, some of whom were actuated by the noblest and purest principles of public virtue; misguided, it is true, and fatal; so misguided and so fatal, that to men on the spot, who had seen all, and heard all, it is scarcely possible to pardon the deception; in the most dazzling, blinding, and cheating illusions of patriotism deluding itself. Facts have since shewn that the thing could be. However, the greater part had no necessity of delusion. As to me, placed at a distance, seeing nothing distinctly, hearing nothing distinctly, enthusiastically fond of freedom, I was in a dream and rapture of liberty and revolution, till the news of the fifth of October 1789. My waking to reason and reflection was painful and severe; but it was complete and radical. I then saw this dreadful tyranny, which, with the frown of hell, had appeared to my deluded sense with the smile of heaven. I should have despised myself for ever and ever, had not my line been taken decidedly from that moment. There could be no half conversions; no standings to look about; no blame with hopes of reform-

reformation ; no paltering with present evils for future good ; no regret ending only in regret ; no indignation ceasing merely in indignation ; there could be none of these things but by ignorance, (and much ignorance there was and is) or by something, in comparison of which, even stupid ignorance is an honourable distinction and a claim of renown. What a horrid look back there was then ! There have been more crimes in France since the fourteenth of July, now three years past ; but there have not been greater crimes. No well informed man will say it.

The parliaments of the kingdom, and that especially of Paris, with some good men and more evil, took up the ground (in itself strong and sufficient, and from which no battery of argument could drive them) that no taxes could, according to the constitution, the fundamental laws, of the French monarchy, be imposed upon the people but by the general states. Their own competence to tax, or register edicts for taxing, they utterly and for ever disclaimed. The calling of the States was, therefore, a measure, held by them indispensable, before either the crown, or the nation, could be relieved from those difficulties which overwhelmed, and threatened to destroy, as things then stood, the one as well as the other. The Parliament of Paris thought these considerations of danger and ruin to be of no comparative weight with the principle. There are times in which principles should not be sacrificed

sacrificed to any thing. There are times which having their own duties, have their own rules. The Parliament of Paris set up their impregnable principle, when its effects would have been best accomplished and secured by stirring no question of principles whatever. The crown of France had long been in possession of the power of taxation by usage; an usage, which being contrary to the fundamental laws, could acquire currency and right by no lapse nor duration; and which the people were entitled, as a popular constitutional right, by the laws of every Gothic kingdom, to resume; committing it to a body elected by themselves, and acting not only for them but by them; with a trust more immediate, nearer and direct, than that of King; more permanent and wide, more prospective and authoritative, than that of simple delegation. There is no question of their title to claim all this; though I do not at all know that they had—or rather I know most certainly that they had not—a title to claim the resumption of this popular power, in the people's name, and for behoof of the people, as the King's Parliament of Paris. But questions of title are here fruitless discussions. It was the time of claiming: It was the manner of claiming; It was the doctrines coupled with the claiming.—Persons at a distance might see only, and, therefore, applaud only, (unmixedly and purely) a struggle for liberty. Those at hand, and whose eyes were open,

had, and could have, no such justification. The resistance to the use, in any case, and temporarily, of what had so long been customary law in France, was in itself, but much more in the means and modes, destructive, to the roots, of all monarchy in France. As to the personal dignity of the reigning prince, it set that at nought wholly.

Those in the parliament who did not delude, but were deluded, found in the measures taken by a weak and mutable policy, yielding and raging by turns, many motives and causes for continuance of delusion. It must here be confessed, once for all, that France was now exceedingly destitute, in places of power ostensible or otherwise, of any great leading genius. The monarch was ill served in all respects. All the schemes adopted appear to have been of the moment ; both in formation and execution. The intention of the King certainly was, to call together the states of the kingdom. Yet this was a thing, in the situation of affairs, which required all the precautions of the most long-sighted prudence. The intemperate demands, the fears, the hopes, of all parties, so various and divided, and so lost in obscurity as to their ultimate objects, required (in the dispositions of the King) that the minister should have resisted with principled steady firmness, and yielded with ample but guarded concession. It required a man who could not be irritated by intemperate proceedings, not overawed by violent proceedings; not hasty to
grant

grant what might be dangerous in the event; nor obstinate to refuse what could be demanded with right and reason. But where was this minister to be found. He certainly was not now at the head of affairs in France. The proceedings against the parliament were in some cases such, as that even blood, not of the warmest temperament, might have fired; and present passion hid from the view future consequences.

The eloquent remonstrances which these proceedings drew forth, are known to every body. Their eloquence was great; their information great; their powers of reasoning great. I do not know if there is any thing (some points of antiquity excepted) in which I differ from their principles and doctrines. But the time; the time! This cannot be too often repeated. And the place likewise! When and where were out of view. These great universals had no place with them in their categories.

On Thursday the eighth of May 1788, the King was advised to hold, at Versailles, *a bed of justice*. Several edicts were then enregistered. The third was a memorable edict. It was the long wished for and very excellent reformation of the criminal law of France. But the chief measure, as regarding the politics of the times, was the edict regarding the formation of the new body to supply the functions of the parliaments, and of certain other courts of revenue and law, under a
name,

name, known in the old ages, of *Cour-Pleniere*. This *Cour-Pleniere* was to be held at Versailles four months during the winter, and as often besides as it should be called together by the King. It was, but *provisionally* only, till the meeting of the *General States*, (the *engagement* to call which might, in fact, be said to have been *registered* along with this very edict) to have the sole and exclusive right of enregistering the laws.

I am very unprepared to say, (and he will be a wiser man than any I have happened hitherto to meet with, who can tell me) whether this *Cour-Pleniere*, might have turned out, or the contrary, an useful institution. It certainly did not get a fair trial. But an observation has been made upon it by a well known author; full indeed of wisdom; of most salutary counsel and awful warning. "The attempt to establish the *Cour-Pleniere* had "an effect upon the nation which itself did not "perceive. It was a sort of new form of government, that insensibly served to put the old one "out of sight, and to unhinge it from the superstitious authority of antiquity. It was government dethroning government; and the old one, "by attempting to make a new one, made a "chasm." A lesson of terror to even well meaning reformers; for the observation is a solemn truth, although it is made in the *Rights of Man*, and by Thomas Paine himself! You will find it, Gentlemen, for the regulation of your conduct,

in

in the first part of the Rights of Man, and in the middle of the one hundredth and fourth page. This person adds, by way of fact, that the failure of this scheme renewed the subject of convening the States General. The scheme contained in itself an *engagement to call* the States General. By an *arrêt* of the *fourth* of May preceding, signed by the Baron de Breteuil, the King expressly mentions the assembly of the General States, and that the people, through deputies freely chosen by themselves, were soon to deliberate on the great concerns of the nation ; but which required (as was at the same time mentioned) a state of tranquillity, and a spirit of moderation, for the accomplishment of any real and lasting services to the commonwealth. This *arrêt*, which was directed against some proceedings of the Parliament, contains one thing, now become singular ; but which was very universal, and will be seen as we go on, at that time. The King declares that he cannot allow to subsist certain decrees of the Parliament, declaring, as on their part, that the *fundamental laws* were in danger. The Parisian populace were, at this time, the idolatrous enthusiasts of the Parliament. The same populace were not long after taught, and acted upon the doctrine, that there were not, and had never been, any *fundamental laws* in France. This was the oratory of the first National Assembly ; and the reasoning of Mr. Paine. The decrees of the Par-

liament were, however, in this respect, and certainly, better founded than those of the King. The King's minister was, beyond all doubt, violating the fundamental laws. The Parliament said nothing but the truth; yet they were equally criminal as if they had not spoken the truth; and more criminal. The minister and themselves were, different in measures and principles, as in effect, much alike. His principles and schemes endangered the laws. Their conduct and proceedings endangered the laws. His plans went out of the constitution to seek strange supports (which might, perhaps, answer the purpose, but) which weakened the natural supports of the throne. Their demands and remonstrances, within the line of the constitution both, (if not by strict usage yet certainly in strict principle such) took away, by their circumstances and language, all the reverence, and consequently all the power, of government. The minister reformed in his way and to a very great extent. The Parliament demanded that the reformations should be in their way; and demanded besides absolute and instant compliance. The minister did not defend the throne. The Parliament attacked it. But his concessions were more dangerous than their attacks. His concessions went of themselves to enfeeble the crown, and directly; while another power was sought than that of the Monarch. His concessions went to enfeeble it in substance and futurity; with great loss in authority,

thority, and no gain in favour. Their attacks, as in themselves, were not against the crown: this happened only by combination and circumstance. Their attacks, diminishing individual power, tended to augment public affection; and, in seeking another power than that now known, they yet fought one known and exerted formerly. With the minister, it was the throne undermined, and the rights of the people placed on no solid foundation. With the Parliament, it was the royal power restricted and restrained, but the royal power secured and set fast, by the regulation of its future exercise. The concessions of the minister having no principle from which they proceeded, had no limits set to them in which they might end. The demands of the Parliament proceeding from principles were bounded by principles. The same reasons which might justify (or justified, for I examine not the measure) the establishment of the *Cour-Pleniere*, might justify the formation of a new government. The reasons which declared the power of taxation to be lodged in the States of the French monarchy, acknowledged, in their very enunciation, and guaranteed the old government. A wise minister would have met the Parliament boldly; have acknowledged their claims and refused them. A wise Parliament would have calmly told the minister; we know our claims of right, and for ourselves, and for the people, if not timely yielded, will, in the due time, assert them.

Such acknowledgment, and such refusal, would have been security to the people, and restraint against the people. Such language, and such delay, would have been admonition to the throne, and duty to the throne. Who shall balance great evils! Who especially shall do this, in mixed subjects, where the good was not certain! Perhaps, France was pre-doomed to ruin. If she was, the means were most admirably prepared in such administration and such Parliament. The King was deserted on all sides; and was attacked on all sides. The monarchy was bared. He who takes the balance will pronounce——. Yet, is it more criminal to have deserted than to have overthrown! It is more ignoble certainly; and covered less from a man's own fight by false virtue and glory.

Let me here declare the just indignation which the persecution of the Parliament, and individual members of the Parliament, excited in this country; and certainly ought to have excited every where. It was such that resistance against it gave to the person resisting (and from the resistance alone) a high rank in the moral approbation. I once believed (I imagine the belief was general) that the Duke of Orleans was a true patriot and a good man.

Yet this persecution of the Parliament was far from strengthening the throne: I do not mean by its consequences merely enfeebling authority
through

through retrospective resentment ; but immediately, and directly, and in instant act. I can only repeat here, what I have said before. Measures of change weakened, while they altered what, measures of change might have strengthened while they altered. The persecution of the Parliament was accompanied with as much change, though not the same change, as if the Parliament had not been persecuted. Their oppression seemed to be only for the purpose of oppression. It was so with the other Parliaments, all over the kingdom. One spirit guided in all.

In this manner, by weak and unprincipled conduct, every thing was thrown into confusion and danger. Perhaps, it might have been better had there been no lighting up of the sky, in the interval of the storm. But how vain a thing are these reflexions.

Of Mr. Necker's administration I shall say nothing myself, till the meeting he thought proper to call of the second Assembly of the Notables. But it is just to let Mr. Necker speak of himself, as to the beginnings of his administration, and the situation of the kingdom. I do not at all controvert his facts ; and it is right that he should be heard in his own words.

“ It was in the month of August 1788, that the
 “ King intrusted me, for the second time, with
 “ the administration of the finances. I had been
 “ exiled a little before ; and my memory furnish-

“ ed other recollections that were not calculated
 “ to make me in love with the situation. I sub-
 “ mitted, however, without reluctance ; the state
 “ of public affairs imposed it on me as a law ; and
 “ I looked in the face of difficulties with a resolu-
 “ tion to conquer them.”

“ It was not long before I received a precious
 “ recompence for this sacrifice of myself. The
 “ unfortunate events that had taken place in the
 “ course of the preceding year, had spread alarm
 “ through the kingdom, and agitated every mind.
 “ The frequent recourse to beds of justice, the
 “ subversion of the Parliaments, their prorogation
 “ *fine die* by royal authority, the translation of that
 “ of Paris to Troyes, the subsequent exile and im-
 “ prisonment of many of its members, the sudden
 “ seizure of twelve gentlemen of Bretagne, their
 “ confinement in the Bastile, and lastly the esta-
 “ blishment of a *Cour-Pleniere*, which, under the
 “ immediate eye of government, was to be hence-
 “ forth all that the people had to depend upon ;
 “ these injudicious acts of authority, happening
 “ in the midst of the fermentation that had long
 “ existed, excited in the provinces a kind of dis-
 “ content and irritation, that seemed the certain
 “ preface of a general insurrection. An alarming
 “ commotion was on the point of breaking out at
 “ Grenoble, and the citizens had already arms in
 “ their hands, when the news arrived of the
 “ change that had taken place in the administra-
 “ tion ;

" tion : their hopes immediately revived, and
 " tranquillity was restored. A similar revolution,
 " succeeding to similar storms, put a stop in vari-
 " ous other parts of the kingdom to the com-
 " mencement of a civil war, and prevented cala-
 " mities, the magnitude of which it is not possible
 " to calculate. I received from every quarter the
 " most flattering proofs of a confidence that for-
 " cibly called me to the discharge of my duties.
 " I understood these duties; I determined to obey
 " the voice of the nation, which was not less ge-
 " neral than it was in my opinion just. The ad-
 " vantages I possessed, my eager desire of the
 " public good, my industry, the credit and eclat
 " which always accompany the appointment of a
 " new minister, when his appointment has been
 " considered as necessary, were all of them faith-
 " fully employed in the cause of equity and free-
 " dom. The Parliaments were recalled to their
 " functions, the exiles returned, all the prisons
 " were thrown open ; the idea of a *Cour-Pleniere*,
 " and all the measures sanctioned in the famous
 " bed of justice, of 8th May 1788, were for ever
 " annihilated ; in short, a general satisfaction, ce-
 " lebrated by lively acclamations, which resound-
 " ed from one end of the kingdom to the other,
 " took place ; and blessings were bestowed on the
 " King for this just revolution, a revolution that
 " called to the minds of the French, ever disposed
 " to love their sovereign, the purity of his inten-
 " tions,

" tions, and his constant attachment to the public
" good."

I said I was not to controvert Mr. Necker's facts ; and he has stated very honestly what he did, and was to be done. He might have stated more, without doing himself any more than justice. What he mentions of the *Cour-Pleniere*, is rather matter of opinion ; though an opinion which Necker should have known was contradicted by the fact ; and which he can only be excused for mistaking and mistating (if it be an excuse) by the secret operation of that principle, which leads a man to increase his own reputation in the reparation of evil, by holding out that as evil, in those who went before him, which is not such, or as containing more evil than it really has, or recording evil which has never happened. The *Cour-Pleniere* has been already declared (contrary to what is stated by Mr. Necker) to have been so completely a provisional and temporary institution, that its very establishment contained the engagement of calling the General States, and fixed the time of the utmost delay in their convocation, as antecedent to the year 1792.

In this matter it may be right (as of very considerable importance) to insert part of the Preamble to this Edict. After mentioning all the various reasons, many of them exceedingly urgent, of the times themselves, for creating this establishment,

ment, the preamble goes on to say, in the name of the King :—

“ Yet, notwithstanding all these motives, which
 “ render the establishment of a single court (for
 “ the purpose of registration throughout the whole
 “ kingdom) a thing of absolute necessity, yet we
 “ should have had great difficulty in finally re-
 “ solving upon it, had not this institution been
 “ founded upon the antient constitution of our
 “ states. We have found, that two kinds of as-
 “ semblies make a part of the *French constitution* ;
 “ the occasional assemblies of the representatives
 “ of the nation, to deliberate on public affairs,
 “ and lay before us the public grievances, and the
 “ permanent assemblies of a certain number of
 “ persons, to verify and promulgate our laws.”

“ Already we have solemnly announced, that
 “ we are to call together the nation before 1792 ;
 “ and we shall never fail to have recourse to these
 “ assemblies, when the interest of the state de-
 “ mands it. The other sort of assemblies have at
 “ no time been unknown in our realm. They
 “ existed antecedently to our Parliaments ; and
 “ at the time when our Parliament of Paris first
 “ became permanent and local. Gradually and
 “ imperceptibly, the Kings our predecessors have
 “ given up the use of this full and supreme court ;
 “ creating new Parliaments, by acts of their au-
 “ thority. But while they erected these tribunals,
 “ which they have successively augmented in the
 “ number

“ number of their members, they never intended
 “ to change the original constitution of the monarchy, which has remained always the same.”

“ Our Parliaments have thus been more or less
 “ multiplied. Each of these courts has been
 “ composed of a greater or less number of officers.
 “ The accidental forms have varied ; but the fundamental principle has undergone no change.
 “ One individual court was originally the depository of the laws ; and to re-establish it, is not
 “ to alter, it is to revive the constitution of the monarchy.”

“ This re-establishment is no new design in
 “ our councils. When by our *ordonnance* of the
 “ month of November 1774, we recalled to their
 “ functions the antient officers of our Parliaments,
 “ the experience of past times made us recollect,
 “ that it might yet happen in future that, going
 “ aside from the purposes of their institution,
 “ they should enter into deliberations contrary to
 “ the good of our service. In consequence of this,
 “ and in order to submit the judgment of the
 “ cases of their forfeiture to a judicial tribunal,
 “ we gave beforehand their exclusive cognizance
 “ to our *Cour-Pleniere* ; and we announced at that
 “ time formally, in an enregistered law, our intention of restoring it.”

“ It is, accordingly, for the purpose of enregistering the laws common to all the kingdom,
 “ and in the case of the contravention of our ordinances

“ dinances by the other tribunals, and in order
 “ to appoint judges even for *them*, that we now
 “ put in execution the design, announced from
 “ our accession to the throne, of re-establishing
 “ our *Cour-Pleniere*, and that we thus regulate
 “ the objects and the mode of its deliberations,
 “ as well as the holding and order of its sittings.”

I did not, in the former part of this work, give any account of the rise, history, or powers of the French Parliaments; nor was it necessary. The whole can be understood in a word; and here. They certainly had no check originally upon legislative power; for the legislature was not in the King. When afterwards (and as has been mentioned) the King, by no good-admitted authority, but in practice sometimes, made laws, these great courts of justice, by authenticating their existence, were the instruments of their promulgation. On this account the Parliaments were styled, in some of the meetings of the general states of the nation, held after this usage had begun, a model in miniature of the three estates; *une forme des Trois Etats raccourcie au petit pié*. It was, in this character alone and under this appearance, that they originally obtained that authority, which they afterwards in many instances (and especially after the states general had gone into disuse) claimed and exercised as a right, in opposition to, and with the great displeasure of, the ministers of the crown. The King's own court, however, what was known
 at

at various times of the feudal government, under different names, and with more or less, and also different, powers; the *Aula Regis*, the Great Council, the Senate, in France the *Cour-Pleniere*; had this authority (if it was in its beginnings to be called authority) of authenticating and promulgating what the simplicity of the times, apprehending no evil from precedent, and feeling the necessity and good effects of regulation, allowed to be, and received, as laws. If any such authority was now claimed or disclaimed by the Parliaments, the minister thought he had them now fairly at a dilemma. They were courts of limited authority, and only within their jurisdiction. The *Cour-Pleniere* could act for the whole kingdom. The claim of the States General was superior to both; and indeed incontrovertible. The minister did not controvert it. But till the meeting of the States; if the Parliaments refused to register the taxing edicts, claiming the right of refusal, or refused to register the edicts, denying themselves to have any right of registration; in both these cases, the *Cour-Pleniere* met them full in the face, having an older and more universal power of registration; which superseded their power; which supplied their power; which excluded their power. To be sure, it was strongest in the way of competition. Perhaps, it was the Parliaments seeing this, which made them renounce (and especially the Parliament of Paris) all right to interfere in matters

matters of taxation. The principle, at the same time, went to every thing.

The great question in France, accordingly, was, not of general principles, in which all were agreed, or all pretended to agree, but of the immediate exertions necessary in the immediate circumstances. The minister came with his *Cour-Pleniere*. The Parliaments opposed the States General. The minister defended himself by the example of the old constitution. He said his innovations were restorations. The Parliaments required only the old constitution likewise; and demanded in this way, other and instant restorations. On all hands, and throughout every part of France, it was agreed that there was an old constitution; and it was as universally required that the old constitution should be made the new constitution. The democratical metaphysicians were silent. But they were on the watch.

I wish this matter to be particularly attended to, as a fact of mighty importance; and which nobody can deny. The contending parties in France rested on the foundations of the old constitution every thing they did or claimed to do. There was not a public body in the kingdom which did not publish their addresses or remonstrances on this subject; and they, all in one voice, asserted the old constitution, and claimed the old constitution.

The clergy of France, that persecuted and undone body of men beyond all former memory,
were

were as eager in this cause, as the rest of the nation. A convocation of the clergy, assembled during the administration of the Archbishop of Sens, presented a remonstrance to the King, on the 15th of June 1788. In this remonstrance they speak thus:—

“ Your Majesty, in the bed of justice, of the
 “ 8th of May, has made a great and signal change
 “ of persons and things; and the kingdom is without judges and without tribunals. Justice and
 “ the magistracy have been at all times an important object of consideration in the national assemblies; and we have wise laws provided with
 “ regard to their representations. We might, perhaps, hope that if such a revolution, as has
 “ taken place, is to be effected, it should be the
 “ *consequence* rather than the *forerunner* of the
 “ meeting of the States. This general overthrow
 “ has been prepared with a mystery, hitherto reserved for the operations of politics or war.
 “ The constitution of this kingdom is such, that
 “ all the laws are planned in the private counsel of the Sovereign, but they are afterwards
 “ verified and promulgated only in his public and
 “ permanent councils. The remonstrances, the
 “ delays, and the privileges of the courts, are a
 “ part of their duty and their obedience; and
 “ your Majesty, according to all the antient laws,
 “ having confirmed in the edict of 1774, the right
 “ of remonstrances, has imposed upon yourself the
 “ duty

" duty of hearing them; because we live under
 " a restricted government, which is guided and
 " ruled, more by mutual communications, and
 " conciliating counsels, than by sudden execu-
 " tions, which put fear in the place of confidence
 " and love."

" The will of the prince, which has not been
 " enlightened by his courts, may be looked upon
 " as his *momentary will*; it is destitute of that ma-
 " jesty which secures execution and obedience,
 " and has this effect only provisionally, according
 " to the language of our predecessors at the estates
 " of Blois; while the judgments and the remon-
 " strances of your said courts have not been heard
 " in your council. The consistency of maxims,
 " the gravity of counsels, the solemnity of forms,
 " and the majestic submission of the sovereigns
 " themselves to the ordinances and the laws, give
 " to empires a stable foundation, and to the laws
 " themselves a character sacred and immortal."

" In the same sitting, your Majesty has promul-
 " gated a decree, bearing the *re-establishment of the*
 " *Cour-Pleniere*. This court recalls an antient
 " name, without recalling antient notions. Al-
 " lowing it to have been in old times the supreme
 " tribunal of our Kings, it does not now present
 " to our eyes that numerous assembly of prelates,
 " barons, and vassals, all united in one body:
 " The nation beholds in it only the tribunal of a
 " court, whose compliances with superior will it

" has always to dread ; except perhaps in regencies and minorities, when it will have still more to dread its power and its intrigues."

" The old *Cour-Pleniere* might be a court of individual and universal resort, when the kingdom was confined within narrow bounds. The *royal orders* had then no force, and received no execution, beyond *the domains of the King*. The other parts of the kingdom had a legislation, tribunals, and sovereignties of their own. Normandy, Guyenne, Dauphiny, Provence, Brittany, and so many provinces besides, have been reunited to the crown only under certain conditions ; and absolute justice and uniform laws would be for them *distributive injustice*."

The clergy of France said a great deal more. What they said, was said, to the same purpose, throughout the whole kingdom. One great stand made by all, was on the distinctive immunities, and the peculiar and capitulated privileges of the provinces, which, in many ways, and at many times, had been united to the crown, from which, in the weakness of the successors of Charlemagne, and in the separate power of the feudal chiefs, they had come to be separated. I have before remarked the singularity of this proceeding ; and it can never strike the mind without exciting surprise.

But the great and leading principles went to the restoration of the old states in the old form. It was this which made the *Cour-Pleniere* (though
announced

announced legislatively in the administration of *Turgot*) an object of such alarm and even detestation. Mr. Necker has, in the passage I have quoted, spoken in the same manner; and too strongly and extensively. It was right to see what was the precise footing upon which the administration placed it, and the grounds upon which it was resisted by the nation. And it is an example, which should have its effect, (and in some of the things last stated, particularly) when we see both the spirit and patriotism of the clergy, and have since known its reward.

Perhaps it may be thought that I should censure the clergy as I have censured the parliaments; especially the Parliament of Paris. I ought not to do it. The clergy had a title to be much more ignorant of the real situation of affairs. And they did not (and indeed they could not) enter upon a state of complete and determined hostility to the existing government.

I have not, it is also to be observed, to defend the *political antiquities* of either the minister, or the opposers of the minister. In many respects they are right; and in some they are wrong. Nor do I say that the nation of France had not a right to establish their legislation on a broader footing (no broader, in my opinion, than it originally existed) than what is held forth in many of the addresses and remonstrances, as having been the old

constitutional law. But the nation were at one on this important point that they had a constitution, and that it ought to be restored.

The abandonment by Necker of the schemes of his predecessor, was far from having any immediate effect to weaken the authority of government. Had the abandonment been made by the former administration itself, it must have impaired the authority of the government greatly. But in Mr. Necker the nation placed such confidence, and he had by his great popularity so great power, that the very act of yielding to the people was an act of authority, and a demonstration of strength. It might be truly said, that government had recovered more energy than it had possessed for many years past; and it was necessary only to retain it, that the people should not be admitted, *as the people*, upon any general undefined principles of equity, or with the vague hopes of accomplishing some general good, to any immediate share or partnership in those counsels of the government, which, by calling the States, were to provide a lasting and proper organ for the conveyance of the people's wishes, and a certain and ample security and instruments of the people's power. This was to be done. Certainly it might have been done. It was not beyond human wisdom. Yet he who looks back is not entitled to judge (at least he ought to be a dispassionate judge) of him who looked onward.

I shall

I shall come to this matter presently. But there is a fact mentioned by Mr. Necker; which must first, also, be more fully stated.

He mentions the seizure of twelve gentlemen of Bretagne, and their confinement in the Bastile, during the former administration. Mr. Paine has also spoken of this fact; and it is right to give Mr. Paine's words. They are thus:

" About the same time a députation of persons
 " arrived from the province of Brittany, to re-
 " monstrate against the establishment of the Cour-
 " Pleniére; and those the Archbishop sent to the
 " Bastile."

This is all. But much more is said by it than by saying more. We shall have to turn our eyes to Bretagne in a short time; and it is right previously to have a better acquaintance with this matter of fact.

Five Counts, six Marquisses, and one Viscount, (twelve gentlemen in all) of the first families in Bretagne, were the "deputation of persons" mentioned by Paine, and were thrown into the Bastile by the French minister, for claiming liberty to France, and the French constitution. This was the reverence paid, before the days of democracy, and preparing things for these days, to the nobility of France. Yet it was a distinction of its kind. I do not know, till I be informed, that there was ever any person below the degree of nobility (unless some men of letters, and one or two even

of *them* were gentlemen) confined in the Bastile. At the same time, this was a most unjust aristocratical distinction; and if it could not be abolished in any other way, I shall not much complain, as considering the thing merely in itself, (in its accompaniments it was horrible!) of the demolition of that prison; most unlawful, and dangerous in the example, as the demolition of that prison, or of any prison, most certainly is.

However, in the Bastile these twelve gentlemen were put, and there they for some time remained. They came out, notwithstanding, afterwards, as in those days, safe and sound; having been neither murdered in prison, nor eaten by the mob in the streets. France had then the Bastile, which was a fore evil; but she had not yet got her national guards and national assemblies, a much forer.

I was going to say that the gentlemen of Bretagne displayed a greater spirit of resistance to the measures of the minister than appeared any where besides; but this would be saying more than can be ascertained; the spirit of resistance was so strong and general. Their remonstrances would also be (and are; for they are preserved;) memorable monuments of the times. I do not blame the country gentlemen in France as I have blamed their Parliaments; they were bound to feel affronts, and not bound to know the exact constitutional measures or means of resistance and reparation. They saw their provinces deprived of their antient magistracies;

magistracies; and in conjunction with these magistracies themselves, they opposed the new order of things; honestly, and zealously, and, to their own fore loss, greatly without knowledge. I do not mean knowledge of what they said; for, in this respect, they might have deposited their remonstrances in public libraries (and, perhaps, I thus take away the excuse I have given them); but in what is worth all other knowledge of all other kinds, the providence of futurity and knowledge of consequences.

The twelve gentlemen of Bretagne, whom the minister sent to the Bastile, as they came with the authority of every thing that was noble in their own country, were supported at Paris by every thing that was noble there, from that province. They were commissioned to demand an audience personally of the King; and were, for that purpose, to have gone, as in a sort of state entry, to Versailles. The minister stopped their journey.

The nobles of Dauphiny had been at Paris on the same errand. They were not received at Court; but suffered nothing besides of personal infliction. It is worse a great deal than the absolute fabrication of falsehoods, to give a narration of these facts, without mentioning who they were, and to what order of the state they particularly belonged, who thus opposed the measures, and thus suffered under the power, of this administration. It is a cruel circumstance, to look back on

the gentry of a whole nation thus generously, yet criminally, destroying themselves. And in a cause (the heart of man cannot stand it!) which was to end, on the part of that people whom they served, in the plunder of their estates, their own murder, and the massacring of their families.

The royal interposition was judged absolutely necessary, to stop finally this opposition to government from the whole provincial nobility of France. Prisons, such even as the Bastile, were not enough. In the same administration of the Archbishop of Sens, and on the 20th of June 1788, an *arrêt* appeared, suppressing all deliberations and protestations as to the measures taken in the Bed of Justice, of the 8th May preceding. It is far from being an incurious document, this; but I have dealt greatly more in this sort of thing than I ever thought of doing here; and it is much too long, besides, for insertion.

Among other charges which it is anxious to refute, this *arrêt* mentions one particularly, of the new edicts being accused of turning the constitution into an *aristocracy*: And it dwells with peculiar emphasis (as a matter necessitating this strong proceeding) upon the remonstrances having stated the measures as destructive to the French monarchy. This *arrêt* again declares, that the King was to assemble, and to continue as an ordinary means of his government, the states of the nation.

But

But I had come down to the length of Mr. Necker; and though, retracing his observations and facts, I have not without cause gone back, I must yet stay here no longer. Mr. Necker had all those things to do away, and to compose all these troubles. His name really operated like a charm; and it was a charm in the hands of a man, whose mind wisdom had informed, and experience in the world greatly taught and tutored. I know it is (or has been) the fashion to talk lightly of the abilities of Mr. Necker. Those that chuse to do so will, no doubt, still do it, whether I chuse so or not. But I certainly shall never join them.

However, Mr. Necker soon appeared himself to distrust very much his own wisdom; a diffidence fatal to him and fatal to France. A sort of general invitation to the council board was given to all and sundry; and a plan was in every case a passport. Mr. Necker afterwards lamented bitterly the pamphlets which covered the face of France; but this *pitchy cloud* which darkened her coasts, was of his own raising.

But as if advice did not come in fast enough, by this way, Mr. Necker called together the Notables of the kingdom, to give their opinion on the preliminary measures to be arranged and fixed for the assembly of the States. This matter led to great and immediate evil.

" The speedy convocation of the States General being once determined upon, it was desirable

“ and necessary to employ the most active atten-
 “ tion” (I am quoting Mr. Necker) “ to the
 “ mode in which it was to be done, and to adopt
 “ in this respect a reasonable and prudent choice,
 “ The Parliament of Paris, by the vote with
 “ which it accompanied the register of the King’s
 “ declaration of the month of May 1788, had at-
 “ tempted to oblige the monarch to form it on
 “ the model of the States assembled at Paris in
 “ 1614. The national wish, and the improve-
 “ ment of the age, opposed this form; and the
 “ difficulties and great inconveniencies attending
 “ it, were exhibited in the preamble of the arrêt
 “ of council, of 5th October 1788; and the same
 “ truth was laid open in a number of subsequent
 “ writings. I thought it absolutely necessary to
 “ introduce some weighty opinion, as a counter-
 “ balance to this desire of the first Parliament in
 “ the kingdom; and I proposed to the King to
 “ consult, on this important question, the Notables
 “ of the realm.”

We have here Mr. Necker’s reasons; and you
 will judge of them, Gentlemen. By the arrêt,
 which he mentions, the meeting of the Notables
 was appointed as for the third of November next;
 two months afterwards. But the arrêt did not
 confine itself to this. It went, at great length, in-
 to other considerations; and decided itself the
 question which it called the Notables to decide.

In

In that arrêt the King is made to inform his people, that, proposing to assemble the States in the ensuing January, he had caused reports to be laid before him of the different forms which had been practised in this matter, in the different periods of the monarchy; and that, from these reports, the forms appeared to have differed with each other in many essential respects.

Here was a great change. The King of France becomes the historiographer, or antiquary of his kingdom; and, in this new and strange character besides, of all the qualities belonging to it, he displays only the ignorance. His researches end in indecision, and beg counsel.

Yet still the inconsistency is kept up of seeking advice and acting without getting it; and the people of France are informed still more of the uncertainty as to the powers and forms of the States, and thus spirited on to make them, just what themselves should wish.

The King is made to go on, saying, that he should have wished the same form and principles to take place now as in the last meeting of the States, and that *they* should have served as a model in all points. But, no; for his Majesty had perceived that many of the former circumstances would not easily accord with the situation of the present times, and that others of them had been opposed by arguments worthy of being weighed. Here again is the French Monarch made a reader and
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an answerer of pamphlets. The reign of democracy was anticipated ; and the pen, and the type, and the printing press, quartered along with the fleur de lys. But what were the circumstances in the States last held which could not accord with those to be held now? Alas ! alas ! the King is made to tell his people, that the old *representation* was very defective, and that *He* wished for, and had planned, and meant to introduce a new and more complete one. All this conduct makes the subsequent transactions the blacker and more hideous. Of this no human being will for the length of a moment doubt. But for the King previously to reform, was putting the crown wholly at mercy. I am speaking of the impolicy of the government here ; not of the treachery which followed. It was the clearest principle in all political science, that the States should have met exactly as they met last. The differences between the different meetings of the States were not so great as the *arrêt* holds them to be. Yet let them have been as great, or greater, the principle equally remained. Take it as a matter of variation and uncertainty ; and where was the policy and law of the thing? Here, most unquestionably, that in a thing of doubt, the States meeting as they met last, should themselves regulate, along with the King, how they were to meet in future. If any men, either by writing or speaking, claimed it as a right, and upon general grounds, that the States should be reformed before they met ; instead of
this

this being a reason for compliance, it was a reason (if there had been no other) for absolute refusal. This principle of right and generality once admitted, left, not merely no monarchy, but no government. Reformation then came from any quarter, and all quarters, and no quarter. It had neither principles, nor objects, nor agents. The KING had no title to reform or innovate upon the holding or powers of the States; for this was to make them, not a co-ordinate legislative power, in concurrence with and not infringing upon his royal authority, nor even an independent body, with an acknowledged, and in the circumstances effectual, power of remonstrance, but a mere emanation from his will, and dependent, in their constitution and substance, wholly on his pleasure. The STATES themselves had no title nor power to this effect; for the States were not yet in existence. The PEOPLE had no title; and, were it possible, still less; for what or where was the people? If any *government* was to be made at all, (and even had the idea *then* been to change every thing) the States, it was necessary, should first meet, as they had met before, that a delegated body, for the purposes of reformation or revolution, might be appointed by them, or not appointed, or that themselves might be new modelled, if this was to be done; that the nation might see whether the old States would serve, whether new States were necessary, or whether (going to some other scheme) there

there should be no States at all. Upon even the wildest schemes of change and destruction, it was yet impossible to destroy by principle, and without absurdity, unless the States met just as the States had met before, if they were at all to meet.

Surely this matter is clear; and the King of France was brought forward to recommend, and afterwards to exercise, an act, for which he had no competence; and which was to destroy all his other competence for any thing. It was the most strangely complex act of wrong ever done among nations. It was an act of sheer despotism; for (I talk of what was done as if it had been already done) it made the King, not only call together, as he had the power of calling together, the States of the kingdom, but it made him the arbiter of their constitution and existence; which the law of the land, and the people's natural rights, prohibited him to be. It gave the crown a power, which the crown never had, and never claimed. It was an act creative, and declaratively creative, of sheer anarchy; for while it stated every thing to be uncertain *formerly*, and called in *now* opinions of weight to balance other opinions of weight, the power thus assumed to the crown, was in name indeed *power*, but in effect only *opinion*, and not the strongest opinion neither; making any of the bodies, or all the bodies, or, if the people chose it, none of the bodies, in the kingdom, but themselves collectively, the unprincipled arbiters of what were to be the organs
of

of government, and government itself; contrary to the laws, into whose obedience they were born, and to their natural popular rights, which by the compact, that made them a nation, were prohibited from being in this manner taken away. It gave the people powers, which the people never had, and never at any time claimed, under the social union. It was an act completely destructive of the fundamental laws in times past, and of the possibility (upon its principle) of there being any fundamental laws in after times. It was an act of great violence and great weakness; great violence upon the people's rights, and great weakness in yielding to the people's power.

Yet it was much in the spirit of modern legislation. I do not mean in the intention of Mr. Necker, nor of his royal master, who were very different men from the modern lawgivers of Europe, but in the composition, grounds, and formation. It was in this manner that Joseph legislated in our days; in all respects except the intention. The object was run at, as if they had been hunting the steeple. The democratic lawgivers of France (not speaking of their crimes) displayed this legislative insanity in its height. The memory of the Emperor Joseph owes much to them. The absurdity of his legislation, formed on their French principles, is forgotten in the madness of that nation; which has also produced men of blood, the fit instruments of such lawgiving, who drive from our memories

mories (what could otherwise have never been) the Emperor's friends, Dalton and Ensign Wuchetigh.

Accordingly, instead of the *reclamations*, of which Necker speaks, giving a reason for the measures he entered upon; they were the very reasons against the measures. Those who thus wrote or spoke (after the *amende honorable* made to the nation by the first measures of this ministry) should have been sent to the Bastille; or, if that name terrifies any body (as in the case of children with *fi, fa, fum*) they should have been set in the pillory, or whipped at the cart's tail. To act otherwise, was to say, that there was neither law, nor liberty, nor authority, nor reason, in France.

But what was strangest of all in this strange proceeding, was, the minister's not merely complying with the wishes of those (perhaps even at the beginning a majority in the lower ranks) who wished that the States should meet otherwise than they had met in the year 1614, but his giving the royal sanction previously and expressly to these notions, and discountenancing, as far as the royal authority could discountenance any thing, the opinions held on the contrary side. It is strange that Mr. Necker did not guide himself by his own very wise and truly statesman like maxim, by which the King, in a subsequent period, declined (till he was forced to it by the threats and execution of murder) to sanction the declaration of the rights of
man,

man. I take the King's speech here, as the speech of the minister. I make no doubt, at the same time, of their being the King's own sentiments, as well as those of the minister. On this subject of sanctioning their (the constituting assembly's) declaration of the rights of man, the King said:—

“ I shall not give my sentiments at large respecting your declaration of the rights of man and a citizen. It contains some very excellent maxims, proper to guide you in your deliberations: but principles vague in their application, and susceptible of various interpretations, cannot easily be appreciated; nor is it necessary till their sense be accurately fixed by the laws to which they are to serve as the basis.”

Certainly this declaration is more favourably spoken of here, than it will be treated by posterity. But, leaving its merits, and viewing only the reasons for not sanctioning otherwise, the principle applied, more forcibly still, to the claims for altering the mode of holding the States. It went to refuse compliance, upon demand; because the States *themselves* were to deliberate upon this, as upon all the other matters for the interest of the kingdom. It went, much more, to prevent any formal declaration on the part of government, recommending or authorising the new claims; for the very same reason, applying more strongly, and for a thousand other reasons.

Neither

Neither could Mr. Necker say—*res duræ, et regi-
ni novitas me talia cogunt moliri*—; for while he
was called to a troubled scene, the acceptance of
the call defined the duty of the station. It was
to resist and relieve the people. In matters of
change, the people could change fast enough with-
out Mr. Necker and against Mr. Necker. To
the popular *momentum* he threw in the whole
weight of the crown.

Yet let me here again remark, that he who
speaks best on this matter now, speaks at the same
time now with the great advantage of retro-
spective wisdom. A very able man might at that
time lose his way in generalities. But this is the
reason itself, why these fatal errors should be de-
clared; while the mind is, at the same time, na-
turally anxious to avoid (in such a case as that of
Mr. Necker) the imputation of stating them as
crimes.

I could not go on without again observing
this; but having observed it, I have further to
observe, what I just now stated, and which in-
creases the evil and confirms the excuse, that
the people of France had, at this time, and
for a long time, the utmost and implicit confi-
dence in Mr. Necker. In such a situation, how
easy was it to have reformed with stability and
principle, with efficacy and limitation! In such
a situation, how easy was it, full of love and af-
fection for those who you thought deserved it, to
apprehend

apprehend no dangers from allowing them to proceed in their own way! Especially when that way was, in many general considerations, pointed out as the best way by the very finger of reason.

For I always have been, and am, very greatly persuaded, that the *Tiers-Etat* was entitled to a double representation in the General States; so as to be on a footing of equality, in matter of numbers, with the two other orders. Mr. Necker has defended himself very ably on this head by misstating the question.

He enters into a defence of his conduct in this matter, as if the point of deliberation were, how, and to what extent, the *Tiers-Etat* should be represented. This is also done in the *arrêt* of the King. In it, too, the imperfect representation, confined by the old institutions to the *Good Towns*, and which excluded many considerable cities that had risen since, is both stated as an existing grievance, and as a matter of future redress. Where changes so considerable and many were to be made, as in the reformation of France, I am far from saying that this last might not have been gone about also. There was a kind of breaking up of every thing understood on all hands as to take place; and retaining the great substantial portions of the former government, and its monarchical essence, all the rest, melted down, might have been cast over again; with change of shape, or addition of matter, as the thing itself required. In so

universal a change, a scope might be given to reasonable speculation, which, in the removing of partial and incidental evils, would have been madness and wickedness and treason. But to hold this out as the language of the throne, previous to the assembly of the States, and independent of the assembly of the States, was the sin of which the expiation has been so grievous. And to defend the general principle, in speculation and abstractedly, when it was in relation to its consequences and effects alone that the principle was to be considered at all, was more idle than the speculation itself could be, in the eyes even of him who thought it the idlest.

Much has been said, and may be said, in favour of more extensive representation, as a general thesis; and, with all the proper limitations and circumstances, it may be very extensive and very useful, notwithstanding. Something upon this may be said afterwards. But I am much clearer on the subject of the *double representation* (as it was called) of the *Tiers-Etat*; and I was and am much moved by the arguments of Mr. Necker. But in the way in which he acted, (and that is what he ought to have answered) to give the *Tiers-Etat* this double representation was making the *Tiers-Etat* the whole state. Much more ought this to have been denied them, when they demanded it as a right. The eagerness and boldness of demand was demonstration to blindness almost itself, of the
use

use that was to be made of possession. Had the *Tiers-Etat* got their representation extended, either as to the number of electors or persons elected, by the States themselves, and in the way of grave deliberation; whatever good was in it would have been completely procured, and with complete security; and if there was any evil (which I do not think), the evil would have been wholly, or mostly, avoided. Perhaps Mr. Necker's defence is so bad, as to heighten the accusation. The more reasons there were for a change of representation in the *Tiers-Etat*, very plainly and most consequently the more reasons there were, for this being no previous labour of the minister, but of the States themselves. It was a great national concern, to be debated by the nation, and in its national form; that is by the national States, assembled legally, and with the avowed purpose, and no other purpose, of change, great and material change, and of thorough reformation. Why were they held unequal to their business; or if unequal why called?

With all this, notwithstanding, there might have been arguments used (had the matter been allowed to come to argument) that probably might shew that my notions of the increase of the representation in the *Tiers-Etat*, as to be made afterwards, were wrong. Upon any speculative point, where I cannot get beyond speculation, I never have been, and never will be positive. But, at

all events, it was not to be settled by the minister; nor ought he, nor had he power, to give any opinion.

Mr. Necker has defended himself also very needlessly against another accusation; that of calling together the States at all. This he mentions as a matter of high charge against him by some. Nor do I question that there were many men in France exceedingly averse to the calling of the States, or to any thing else that looked like the beginnings of a better government and reformation. There have been and will be such bad men at all times. Their opposition or accusations ought to have had this effect: They should have made the minister take every precaution, that the longest look into futurity, and the deepest consideration of what immediately passed before him, could furnish and suggest, in order that their opposition might not afterwards be regretted as unsuccessful, and their accusations in the light of consequences viewed as truths. It was right, most clearly right, to call the States; but not to so call them. As it has been—*Xanthum et Simoenta redde, oro, miseris*—is now the exclamation of liberty itself.

I have strove with myself not to put it here; for the quotation is long; but its high wisdom and eminent usefulness will not allow me not to insert it. It is the *doctrine* of reformation, laid down by the great statesman who has saved his country and Europe.

“ If

“ If there is any one eminent criterion, which,
 “ above all the rest, distinguishes a wise govern-
 “ ment from an administration weak and impro-
 “ vident, it is this—*well to know the best time and*
 “ *manner of yielding, what it is impossible to keep.*—
 “ There have been, and there are, many who chuse
 “ to chicanne with their situation, rather than be in-
 “ structed by it. Those gentlemen argue against
 “ every desire of reformation, upon the principles
 “ of a criminal prosecution. It is enough for them
 “ to justify their adherence to a pernicious system,
 “ that it is not of their contrivance; that it is an
 “ inheritance of absurdity derived to them from
 “ their ancestors; that they can make out a long
 “ and unbroken pedigree of mismanagers that
 “ have gone before them. They are proud of the
 “ antiquity of their house; and they defend their
 “ errors as if they were defending their inheri-
 “ tance: afraid of derogating from their nobility;
 “ and carefully avoiding a sort of blot in their
 “ scutcheon, which they think would degrade
 “ them for ever.”

“ It was thus that the unfortunate Charles the
 “ First defended himself on the practice of the
 “ Stuart who went before him, and of all the Tu-
 “ dors; his partisans might have gone to the Plan-
 “ tagenets.—They might have found bad exam-
 “ ples enough, both abroad and at home, that
 “ could have shewn an antient and illustrious de-
 “ scent. But there is a time, when men will not

“ suffer bad things, because their ancestors have
 “ suffered worse. There is a time, when the hoary
 “ head of inveterate abuse will neither draw reve-
 “ rence, nor obtain protection. If the noble Lord
 “ in the blue ribbon pleads, *not guilty*, to the
 “ charges brought against the present system of
 “ public œconomy, it is not possible to give a fair
 “ verdict by which he will not stand acquitted.
 “ But pleading is not our present business. His
 “ plea or his traverse may be allowed as an an-
 “ swer to a charge, when a charge is made. But
 “ if he puts himself in the way to obstruct reform-
 “ ation, then the faults of his office instantly be-
 “ come his own. Instead of a public officer in an
 “ abusive department, whose province is an ob-
 “ ject to be regulated, he becomes a criminal who
 “ is to be punished. I do most seriously put it to
 “ administration, to consider the wisdom of a
 “ timely reform. Early reformatations are amicable
 “ arrangements with a friend in power : Late re-
 “ formations are terms imposed upon a conquered
 “ enemy ; early reformatations are made in cool
 “ blood ; late reformatations are made under a state
 “ of inflammation. In that state of things, the peo-
 “ ple behold in government nothing that is re-
 “ spectable. They see the abuse, and they will
 “ see nothing else. They fall into the temper of
 “ a furious populace, provoked at the disorder of
 “ a house of ill fame ; they never attempt to cor-
 “ rect or regulate ; they go to work by the short-
 est

“ est way. They abate the nuisance, they pull
“ down the house.”

“ This is my opinion with regard to the true
“ interest of *government*. But as it is the interest
“ of government that reformation should be early,
“ it is the interest of the *people* that it should be
“ temperate. It is their interest, because a temperate
“ reform is permanent; and because it has a prin-
“ ciple of growth. Whenever we improve, it is right
“ to leave room for a further improvement. It is
“ right to consider, to look about us, to examine
“ the effect of what we have done. Then we can
“ proceed with confidence, because we can pro-
“ ceed with intelligence. Whereas in hot reform-
“ ations, in what men, more zealous than confi-
“ derate, *call making clear work*, the whole is ge-
“ nerally so crude, so harsh, so indigested; mixed
“ with so much imprudence, and so much injus-
“ tice; so contrary to the whole course of human
“ nature and human institutions, that the very
“ people who are most eager for it, are among the
“ first to grow disgusted at what they have done.
“ Then some part of the abdicated grievance is
“ recalled from its exile, in order to become a
“ corrective of the correction. Then the abuse
“ assumes all the credit and popularity of a re-
“ form. The very idea of purity and disinterest-
“ edness in politics falls into disrepute, and is con-
“ sidered as a vision of hot and inexperienced
“ men; and thus disorders become incurable, not

“ by the virulence of their own quality, but by
 “ the unapt and violent nature of the remedies.
 “ A great part, therefore, of my idea of reform
 “ is meant to operate gradually; some benefits
 “ will come at a nearer, some at a more remote
 “ period. We must no more make haste to be
 “ rich by parsimony than by intemperate acquisition.”

“ In my opinion, it is our duty, when we have
 “ the desires of the people before us, to pursue
 “ them, not in the spirit of literal obedience,
 “ which may militate with their very principle;
 “ much less to treat them with a peevish and contentious litigation, as if we were adverse parties
 “ in a suit. It would, Sir, be most dishonourable
 “ for a faithful representative of the Commons, to
 “ take advantage of any inartificial expression of
 “ the people’s wishes, in order to frustrate their
 “ attainment of what they have an undoubted
 “ right to expect. We are under infinite obligations to our constituents, who have raised us to
 “ so distinguished a trust, and have imparted such
 “ a degree of sanctity to common characters. We
 “ ought to walk before them with purity, plainness, and integrity of heart; with filial love, and
 “ not with slavish fear, which is always a low and
 “ tricking thing. For my own part, in what I
 “ have meditated upon that subject, I cannot indeed take upon me to say, I have the honour
 “ to follow the sense of the people. The truth is,

“ I

“ *I met it on the way*, while I was pursuing their
 “ interest according to my own ideas. I am hap-
 “ py beyond expression, to find that my inten-
 “ tions have so far coincided with theirs, that I
 “ have not had cause to be in the least scrupulous
 “ to sign their petition, conceiving it to express
 “ my own opinions, as nearly as general terms
 “ can express the object of particular arrange-
 “ ments.”

And elsewhere, it is further said :—

“ We must follow the nature of our affairs, and
 “ conform ourselves to our situation. If we do,
 “ our objects are plain and compassable. Why
 “ should we resolve to do nothing, because what
 “ I propose to you may not be the exact demand
 “ of the petition ; when we are far from resolv-
 “ ed to comply even with what evidently is
 “ so ? Does this sort of chicanery become us ?
 “ The people are the masters. They have only
 “ to express their wants at large and in gross. We
 “ are the expert artists ; we are the skilful work-
 “ men, to shape their desires into perfect form,
 “ and to fit the utensil to the use. They are the
 “ sufferers, they tell the symptoms of the com-
 “ plaint ; but we know the exact seat of the dis-
 “ ease, and how to apply the remedy, according
 “ to the rules of art. How shocking would it be
 “ to see us pervert our skill, into a sinister and
 “ servile dexterity, for the purpose of evading our
 “ duty, and defrauding our employers, who are
 “ ou

" our natural lords, of the object of their just expectations !"

It was in this manner that Mr. Burke pleaded the cause of reform in the year 1780 ; with the same principles he had displayed formerly, and which he now displays. I do not remember, whether I have formerly observed it, what must be so obvious to all the readers of Mr. Burke's works, how much, when pleading even against strong and unjust opposition, he is distant from the advocate, and is wholly the instructor. Here he was pleading for reformation ; most necessary reformation, and reformation violently opposed. With the strength of the people on his side, he yet holds that strength as powerful only to any salutary purposes, by acting in the line of legislative reason ; and their authority he holds as going only to general expression, which is to be formed into language and legal ordinance by wisdom which is not theirs. The people here were not, as in France, held to be judges of what should be done in detail ; nor were plans and schemes and projects called for and received from every political speculatist. No other power was acknowledged on the part of the people (but that power was acknowledged in terms the most direct) than the power of requiring from government, from government instituted and existing only for the people's benefit, that its administration should be adapted to its purposes ; that every thing productive of good to
the

the governed should be taken into it as an improvement, every thing operating as a grievance to them should be taken away as an evil; while in this last case, the people's demands were much more to be regarded, as being much more competent judges of the pressure of evils, than of the probabilities of good, and as to this last indeed, neither knowing nor seeking them (unless as a pretence of rebellion), but when the evils were of that kind, as to point by a sort of natural demonstration to the remedy. The will of the people, thus authenticated as the people's will, was a thing of great power. It was paramount to all power, that excepted, which controuls the people as well as kings. " But indeed it is NECESSARY" (the plan of reformation, Mr. Burke said, and putting the matter on the ground of *necessity* alone) " that the attempt should be made. It is necessary from
 " our own political circumstances; it is necessary
 " from the operations of the enemy; it is necessary
 " from the demands of the people; whose desires, when they do not militate with the stable
 " and eternal rules of JUSTICE AND REASON (rules
 " which are above us and above them) ought to
 " be as a law to a House of Commons." Above these rules the legitimate will of the people never wishes indeed to rise. This follows from its very definition. Nor can the authority of government, in all or in any of its portions, even in the most popular, go beyond the *trust* which the people has given,

given, so as to violate (by not resisting their unprincipled desires), those grounds of justice and reason, upon which the trust was bestowed and for which it exists. The mutual security of government and people is founded on this basis of strong right. No will of the people can go against it, nor be of any avail even as general expression; while the most powerful and divine popular energy; that nearest to reason and justice and most allied with them, operating as the strongest general law of action, is still no law for the measures, means, for the extent, or the particular modes of acting. It is an evil government (if government it be) where the people's voice is unknown. It is an evil government (and may be far worse) where the people are (that is, without principle claim to be; for they never are) the governors.

The wisdom of the passages I have taken from Mr. Burke is much broader than to the point we are considering here, Gentlemen. His authority, too, as in those times, ought to be decisive with you. But I dwell on this matter no longer; nor on the contrast between the principles here established for reformation, and those which appear to have guided in France.

It was to be expected, the Notables being summoned to give their judgment on this deliberation of legislative policy, that their judgment was to be final in the affair. By the declaration of the minister in the name of the King, and the published *arrêt*,

arrêt, it was evident what their determination was wished to be; but it could not be supposed (otherwise why were they called?) that if they made a contrary determination, it was not to stand. Yet this did not happen.

Mr. Paine (in his way of writing) has given some account of this meeting of the Notables. "This body," he says, "was in general interested in the decision, being chiefly of the aristocracy and the high-paid clergy; and they decided in favour of the mode of 1614. This decision was against the sense of the nation, and also against the wishes of the court; for the aristocracy opposed itself to both, and contended for privileges independent of either." I mean nothing more by putting this quotation of Mr. Paine here, than to put those in mind, who admire his narrative, and take him as their historical guide, that the royal authority (by Paine's account here, as elsewhere) did not oppose the beginnings of French reformation.

As to the aristocracy contending for privileges, however, I must on this subject here, and before going on, quote the authority of Mirabeau. They were eager, at this very period, to renounce every privilege; such excepted as made them nobility. In an appeal by Mirabeau to his countrymen of Provence, in regard to a decision given against him (which would not, I think, have been given in a Committee of the House of Commons, on an election

election question), and speaking of himself as a nobleman, he says, that he makes his appeal, in this character among others, as " an individual of
 " a class having a claim to pecuniary exemptions,
 " in which he has maintained, ALONG WITH THE
 " GREAT BODY OF THE FRENCH NOBILITY, that these
 " expiring privileges had at all times been an ini-
 " quitous absurdity."

In his speech to the Notables, the King seemed to consider their determination as a matter that was to be final. He mentioned the beginning of the ensuing year as appointed for the assembly of the States; that in concert with the States he was to provide the means of relief to the people, and at the same time for securing the authority he had received from his ancestors; that, before calling the States, he wished to consult with *them* as to the means of rendering that assembly most beneficial to the kingdom; that for this purpose all the proper documents would be laid before them, and that his confidence and the public hope rested on their zeal.

Mr. de Barentin, the Keeper of the Seals, also made a speech; and Mr. Necker likewise pronounced a long one. All these speeches equally held out the King as desirous to be enlightened on the subject of the States, by the researches of the Notables. The speech of Mr. Necker very clearly recommended the innovations which had
 been

been announced by the administration, in the *arrêt* formerly issued.

During the sitting of the Notables, a matter happened ; of which it is necessary to speak.

The Prince of Conti, on the 28th of November, addressed a speech to *Monseigneur*, who, as the King's eldest brother, was at the head of the first department of the Notables, and with whom, at the time the deputies from the other departments, were present, in which he stated it as a duty his conscience bound him to perform, to take notice of the seditious writings, which spread confusion and discord throughout the whole realm. He declared that the monarchy itself was attacked, that its annihilation was sought, and that the fatal moment was approaching ; and he requested that *Monseigneur* should represent to the King, how necessary it was for the stability of the throne, that the new projects should be discountenanced, and that the constitution in its old forms should be maintained in its entire purity. This address was given in writing by the Prince of Conti to *Monseigneur* ; who delivered it to the King.

The King returned the paper ; observing that it regarded matters altogether foreign to those, for the consideration of which the Notables were assembled. He, therefore, forbade them, in any of their *bureaux* or departments, to take any notice of it, and commanded them to proceed in their ordinary business. It was added, that the Prince
of

of Conti, with the other princes of the blood, might address themselves directly to the King, who would always listen to them with pleasure.

The matter had, however, been previously debated in some of the committees; and had produced a division of opinion. The King's orders put a stop to farther discussion.

The Notables in the mean time approached to a conclusion of their labours. The committee of *Monsieur*, by a majority of *one*, were for the changes in the representation of the *Tiers-Etat*, which were recommended by the King and his minister. The minority in his committee published their reasons for being of a contrary opinion. All the other committees were for matters continuing, in the respect of representation and manner of voting, on the same footing on which things had stood in 1614. The judgment of the Notables was, accordingly, against the plan of administration.

But while they gave this judgment on this matter, they all agreed, with a sort of emulation, in declaring that all privileges in matters of taxation should be done away for ever. Some of the declarations on this head are expressed with a strength and zeal, which nothing can surpass. The committee of the Prince of Condé concluded its report with the emphatic wish, that their sentiments on this subject might, in the assembly of the States, become the common sentiment of the nation. No privileges were sought to be retained in France,
greater

greater (or so great) than those which have existed, exist, and long are to exist, among ourselves, for the good of Britain.

Immediately upon the rising of the Notables, and in consequence of the answer returned by the King to the address transmitted from the Prince of Conti, a memorial was presented to his Majesty; known well afterwards under the name of the Memorial of the Princes. It regarded the same matter, and announced the same dangers, and from the same causes, as had been stated in the rejected paper, presented formerly. This Memorial was not signed by *Monsieur*; as the committee of which he was president had been of a different opinion from what was contained in the Memorial. It is needless to say that it was not signed by the Duke of Orleans. The other princes of the blood signed it; the Count d'Artois, the Prince of Condé, the Duke of Bourbon, the Duke of Eng-hien, and the Prince of Conti. After an introduction, mentioning the gracious invitation given them to address the King himself personally, and availing themselves of this permission, the Princes go on to lay before their Sovereign, the sentiments which they entertain of public affairs.

There is one passage in this Memorial, which I must place here.

"SIRE," the Princes say, "the state is in danger. Your person is respected; the virtues of the Monarch secure to him the reverence of the nation.

B b

" But

" But a revolution is preparing in the principles
 " of government ; and which is led on by the fer-
 " mentation of the public mind. Institutions
 " holden sacred, by which this monarchy has
 " prospered through so many ages, are turned in-
 " to questions of popular debate, or cried down
 " even as manifest wrongs. The publications
 " which have appeared during the meeting of the
 " Notables, the memorials which have been ad-
 " dressed to the Princes (who now sign this) them-
 " selves, the demands made by different provin-
 " ces, cities, or corporate bodies, the object and
 " the style of these requisitions and memorials, all
 " announce, all prove, a systematic and reasoned
 " spirit of insubordination, and a contempt of the
 " constitutional laws. He who is an author is a
 " legislator, Eloquence, or the art of writing,
 " destitute of study, information, experience, seem
 " titles sufficient to regulate the constitution of
 " empires. Whoever advances a bold opinion,
 " whoever proposes to change the laws, is secure
 " of hearers and associates,"

The whole memorial is exceedingly deserving
 of perusal ; and it has been at all times highly ad-
 mired by me. I know these Princes have been
 blamed, and the Count d'Artois especially, as
 having carried things with a high hand. The lan-
 guage has, indeed, been much severer than this,
 and by those too who both speak and write against
 the French revolution. Many people even say
 (and

(and I suppose think) that France might have seen fewer evils, had a different conduct been adopted by the Princes. I am bound to speak the truth, and to give nobody offence. But great is the faith of such persons, even upon their own theories and doctrine; and much greater is their ignorance. France was doomed by the criminals, who inhabit, and have inhabited it, to all the calamities and plagues she has undergone. The only way these assassins of their country could have been overthrown, was by those measures of strength and vigilance, which, so mercilessly for that nation, were neglected wholly. I will not speak (as I have repeatedly said) of what I do not know. Whether the Count d'Artois, or any of the other Princes, who have so nobly persevered with him, wished the old government of France to remain, without any reformation, being a matter of their own breasts, cannot be of mine. But no person can make this out from their actions. Neither in the spirit of the nation, could any power have been opposed effectually to the power of the people, for the purpose of total resistance or overthrow. The people must have gained ground, and considerable ground, against the most determined opposition; and much was yielded to them without effect. The Princes, and all the nobility of France, gave up every privilege they possessed, not common to nobility in all countries. The same thing was done by the clergy. The beginnings of reformation were laid

in many other respects ; and the new edifice was seen, in many of its parts, and some of them far, above the ground, before the meeting of the States General. The people's ardour was not soon likely to abate ; and their strength grew with their acquisitions. With more power they could accomplish more. In all these circumstances, nothing could be apprehended against the cause of reformation and freedom. In all these circumstances, every thing was to be apprehended from remissness and want of foresight on the part of government. The conduct of the Princes was the true line of wise policy. Nor will it detract from the policy (unless in the minds of the new enlightened) that it was accompanied with that spirit, and and declared in that language, which had distinguished and honoured the gentry of France, through ages of long renown and national glory.

The King, upon closing the meeting of the Notables, made a short speech. A number of speeches were made upon the occasion, by the persons whom usage called upon to make them. They were all to the same purpose. It is very painful now to read them. The happiness of the people and of the King ; his goodness, and the rewards of that goodness in personal and national felicity and renown ; all the eloquence of France was exhausted in describing these scenes of coming glory, in whose mad visions the eye was kept from beholding

beholding the road that was preparing to destruction and the grave.

The account given by Mr. Necker of the meeting of the Notables, and of what followed upon their determination being opposite to the views of the court, is thus :—

“ The Notables devoted themselves to the most
 “ assiduous and useful labours. By their inquiries they pointed out the numerous difficulties
 “ it was necessary to clear, previous to the convocation of an assembly of the States General ;
 “ and by their examinations and decisions they
 “ facilitated and made sure the path of government. Without the support of their opinion,
 “ the council could never have obtained the confidence necessary for determining an infinite
 “ number of questions, which would have been
 “ the occasion of continual embarrassment and
 “ contradiction.”

“ The most important of all, that which concerned the comparative number of deputies of
 “ the three orders, was determined by the Notables in the same manner as it had been by the
 “ Parliament ; but their decision which was not
 “ unanimous, excited such loud and general clamours, that the King thought it just to have it
 “ discussed, separate from all the rest, in his council.”

“ I doubtless advised him to this measure ; but
 “ it is manifest that I was influenced by no spirit

“ of partiality. All my ties, all my habits of intercourse, were with that order of society, which
 “ applauded the decision of the Notables ; and it
 “ was one of my first mortifications to find myself
 “ in opposition to their sentiments, and that un-
 “ alterably ; since the conviction of my conscience,
 “ and the good of the state, to the best of my
 “ judgment, imposed on me, as a severe duty, the
 “ conduct I adopted on this memorable occasion.”

When I said some time ago, that it was naturally to be expected the decision of the Notables should be final, I did not mean that the King was bound by their determinations, in any sort of way. He might adopt or reject, at his pleasure. Accordingly he told them, at their rising, that he would take into consideration what they had advised. Yet if their advice was not to be followed, it was much better never to have called them together.

The discussion in the King's council took place, Mr. Necker says, much on the account of the clamours which the decision of the Notables had produced. Enough has been said on this before. Was it wonderful that clamours should have arisen, when they were bespoken by a decree issued in the name of the King, declaring that the old mode of holding the States, now sanctioned by a judgment of the Notables, was a wrong and unfair mode ? These clamours, thus produced, the minister could not, with a good grace, silence with
 a strong

a strong hand. This was the very misery of France. Great turbulence took place; and there was neither preventing authority, nor following punishment. In themselves (it has been already said, nor does it need to be said) these clamours became the strong reasons for keeping the old States as they were; even had there been (which there was not) a previous power vested any where to alter them.

The *Report made to the King in Council* by Mr. Necker, is a document well known. Again I meddle not with reasonings. It is a matter of mere moonshine whether they are well or ill founded. One thing is certain, that when this reformation was to be made, other reformations ought to be made also. Mr. Necker might have just as well set about regenerating France (as the phrase has been) wholly of himself, and without calling any meeting of any sort. Many good reformations have been made in this way by many good despotic princes; but it was not the way of reforming in a limited monarchy. However; and to pass on. Only let it be remembered (which I should have noticed before) that placing the thing in the lights of antiquity (where antiquity gave light) it appeared very clearly, with the necessary or the accidental variations, to have been all along as in the year 1614.

Upon this report the matter was decided. I make no quotations from it but one. It is not

of argument ; but a matter of very important fact.

The Queen of France interested herself greatly in the cause of the *Tiers-Etat*. This is a matter of undoubted fact otherwise. It is authenticated by Mr. Necker in his Report.

“ They are your sentiments, SIRE,” (I am translating from Mr. Necker’s Report, who is speaking of the King) “ that I have endeavoured
 “ to express. They become a new bond of affection between your Majesty and the august Princess, who shares your labours and your glory.
 “ I shall never forget her Majesty’s words : *The King will refuse no sacrifice that can contribute
 “ to secure the public happiness. Our children will
 “ hold the same sentiments if they are disposed to listen
 “ to good counsel ; and if they were of a contrary disposition, the King will have fulfilled his duty in imposing upon them some restraint.* Beautiful and
 “ laudable words ! which I besought her Majesty
 “ with emotion to permit me to retain.”

At this time also, the Queen of France was the object of public thanks and addresses by the Commons of the French nation. The deputies of the *Tiers-Etat* of Bretagne, Lorraine, and Franche-Comté, among others, in an address of thanks to Mr. Necker, and after speaking of the King as the generous father of his people, declare themselves “ penetrated with attachment for the august Princess who shares the splendour of the
 “ throne,

" throne, at whose affectionate expressions of the
 " interest she takes in their cause they have been
 " melted into tears; their attachment to her they
 " will transmit to their children, and prepare the
 " coming generation for that tribute of devotion
 " and fidelity, which they now beseech the mi-
 " nister to lay at the feet of this gracious Sove-
 " reign."

It was scarcely possible that Mr. Necker could
 be in higher favour with the French nation than
 he had been before. Yet the displays of it were
 now greater than even formerly. It looked as if
 the people would lay themselves at his feet. Yet
 I question much if with more favour he had more
 power. The people were already beginning to see
 (the immediate leaders had long seen it) that they
 could now go on by their own strength as far as
 they pleased.

Of the report made to the King in council, Mr.
 Necker himself has said:—" It was after various
 " preparatory committees that I delivered in the
 " council of state the report which every one is
 " acquainted with. There had been considerable
 " debates on the important question thus submit-
 " ted to the examination of ministry; for their
 " opinions were not uniform: and the most labo-
 " rious discussion preceded the determination of
 " his Majesty, a determination manifested by the
 " decision of council, of 27th December 1788.
 " The commons succeeded in obtaining the ob-
 " ject

" ject of their wishes and their prayers, that of a
 " representation equal to the two other orders
 " combined. This was a period for the ebullition
 " of gratitude : to the King they testified their sa-
 " tisfaction by the most flattering demonstrations
 " of affection and loyalty ; and I also came in for
 " a share in their acknowledgments. They re-
 " ceived as a benefit what was merely a point of
 " justice. This mistake of men of sensibility is the
 " only consolation of virtuous Kings."

I do not like this passage. If Mr. Necker acted
 on these grounds, he acted more inexcusably than
 I hold him to have done. My friend has called Mr.
 Necker, as in depreciation, or has said, on what
 authority I know not, that he was called; *a man*
of detail. What depreciation there is in such ap-
 pellation, is more than I know. I am afraid that
 Mr. Necker has declared himself here unworthy
 of being honoured by it. He talks, as in the case
 of the *Tiers-Etat*, of *doing justice*. He does not
 bring forward the circumstances of the times, the
 wishes of the people, the necessity of policy, the
 good that might result from the measure;—but he
 talks of *doing justice*. And was it on the principle
 of *doing justice* that he went in the face of old in-
 stitutions, and of recent and solemn judgments !
 What title had he to *do justice* ! I do not inquire
 whether it was justice or not. On that I have said
 what I think already. The Memorial of the Prin-
 ces maintains (in opposition to me) that it would
 have

have been (this particular reform) *at any time*, in-
 justice. The *equality* of the three bodies, *in all respects*,
 as to legislative power and citizenship, was made, on
 the side which opposed the innovations, the basis
 of the French monarchy. To do more, or to do any
 thing else, they said was rank injustice. It was rank
 injustice, in my opinion also, as to the time of do-
 ing it; though of error much more fatal still than
 any injustice. But, be it justice. Was Mr. Necker,
 the minister of the King of France, like the bene-
 ficent vizier of some mild Sultan, listening to the
 cries of the people, and following his own judg-
 ment and will, to overturn the antient order of
 kingdoms, and to look in the face of high and so-
 lemn and deliberate authority, in order to do what
 he thought *justice*! And was it this silly following
 of his own opinions, upon a matter of mere jus-
 tice, that was to carry out a man in the arduous
 enterprise of restoring, by calling forth the legi-
 timate powers, and establishing the constitution
 of a nation! Mr. Necker was led to talk in this
 way (in this history of his administration) by de-
 ceiving himself. The justice of the measure, as in
 itself, had been so frequently attacked (and upon
 grounds, if they be such as are stated, which I
 like as ill as he can do) that he has unguarded-
 ly brought forward the equity of the measure as
 the principle of the measure. He could not be
 guided by such motives. They could not even,
 in a fair view of the case, stand the brunt of the
 schools.

schools. They might be overthrown, as they were only fit to be produced, by a boy's logic. It is as criminal as it is absurd to count such things in the stock of a statesman. His resources (going on to and securing universal justice) lie elsewhere; and he draws on a very different fund. The narrow and precise squaring of claims and rights, as of little pieces of wood, to make up by their fitting a thing to please children, is an amusement dangerous to nations. All other things being equal, it is a recommendation even this. But to make it the ground and reason of your policy, and *beforehand* ——. I do not wish, nor can I give it a name.

It being thus fixed how the States General should meet, the meeting itself should have taken place as in the beginning of the year 1789. Their sittings, however, did not begin till the 5th of May of that year.

In the mean time, and till we arrive at that period, I shall go, with your permission, to the provinces, Gentlemen. Only, as to Paris (whose history after that time is the history of France) I shall mention one fact, before entering on the consideration of what was done in the provinces.

The Parliament of Paris, so lately the idol of the populace, was falling into great disrepute. It was now perceived that it might be a hindrance to going farther; and it was easy to forget what
it

it had done and suffered to bring things on so far.

The capital had hitherto, as a body, taken no marked steps in the business that agitated the nation. It was not yet the time. However, after the rising of the Notables, it was thought expedient in the councils of democracy, that the city of Paris should in some measure shew itself. A memorial was presented to the King from the corporate bodies in the city, and about the same time a petition of the inhabitants was brought forward also. The object of both was, on their face, to claim the rights of the *Tiers-Etat*. They might be intended to serve, and probably served, other purposes.

The petition of the inhabitants had been originally drawn up by some man of the law; and who had been paid for it. However his style did not please so much; and it was not used. The faculty of medicine here got the better of law. Mr. Guillotin, a physician of Paris, and afterwards a member of their constituting Assembly, drew up a petition, which was thought quite the thing. It was adopted by the corporate bodies likewise. The Parliament judged this matter to require their interference. Mr. Guillotin was brought before them. He was too powerfully supported to be afraid; and the Parliament (who had returned in the acclamations of triumph only a very short time before) plainly saw that a few weeks had destroyed

ed their power, and caused all their services to be forgotten. The affair ended in a sort of general decree, which, I believe, was never put in execution.

During the times of which we have been speaking, and till the meeting of the States, very busy or very tumultuous scenes were exhibited in the provinces of the kingdom. Those only which influenced greatly on the series of events, are at all to be taken notice of; and none are more to be noticed in this respect than those of Dauphiny. That province and its proceedings were long the admiration of France.

I shall first, however, as it requires a very short and passing notice, mention the peculiar matter of contention in Languedoc.

Every one knows that this was one of the provinces which had States of its own; of which kind there were several in France. It happened that by the distinction of *biens nobles* and *biens roturiers*, those could be called to the general assemblies of the nation, merely as *gentilshommes-fonciers*, landholders or heritors, who could not sit in the States of the province, which were confined to the dignified clergy and holders of baronies. The *noblesse*, not holding baronies, accordingly now claimed, that the distinction between the baronial noblesse and themselves should be taken away. This requisition was made at a very late period, after the Notables were assembled, and the States General had been fixed as soon to meet.

The

The baronial noblesse, in general, made no objections to the measure. It could be of no use, this requisition, but upon the footing of Languedoc still remaining a province, because, notwithstanding the composition of the provincial states, and the *inelective* seats in them, there was no difference made as to the *election* into the General States. So little, just before this constituting assembly met, was it dreamed of, even in the south of France, in Languedoc itself, the native soil of Calvinism and liberty, that the kingdom of France was to be measured out, almost among their first acts, into new departments with strange names, and the whole fabric of the constitution fundamentally overthrown, at one explosion of the democratic mine, by those who were sent for no such purposes, and with no such powers, and who, uniting the extremes of ferocity and folly, with the same lips that pronounced the sentence of destruction on their empire, stood sponsors to the new christening of provinces and streets; not more earnest in the work of ruin than they seemed to be eager in the plays of childishness; a disgrace to wisdom, as they were a reproach to humanity. It was an object (this) upon which the province of Languedoc displayed much anxiety and earnestness. They had not occasion to display it long. Nor was this the only matter, on which they appear to have been unread in futurity. The extinction of nobility was also yet unknown

known ; and was as much beyond their assembly's competence.

The province of Languedoc was earnest to be put upon the same footing with the province of Dauphiny. There, too, arrangements had been made for the province itself as in perpetuity. Languedoc was not singular in this respect. The arrangements for provincial administration were indeed common all over the kingdom. It is a very striking consideration this ; nor do I know that it has been sufficiently attended to. I am not to notice the proceedings in Dauphiny, as on this account chiefly ; or much on this account at all. But it will appear strongly in the narration of general matters.

The same ministerial inflictions had taken place in Dauphiny, as in the rest of France. The Parliament of Grenoble had been exiled ; and remonstrances had followed remonstrances to the foot of the throne. After Mr. Necker came into the administration, a general assembly of the three orders of the province was held at Romans, by permission of the King. The president of this assembly was the Archbishop of Vienne, and Mr. Mounier was their secretary.

The three orders met in the city of Romans, on the fifth of September 1788 ; and held separate assemblies on the following days, till the tenth, when they assembled in one body ; on which day their *proces-verbal* begins.

The

The reading of the King's letter to the assembly; the speech of the Duke *de Clermont-Tonnere*, and of the Baron *de la Bove*, two of the three commissioners appointed by the King to superintend this meeting; the return to these speeches made by the Archbishop of Vienne, and all the other things of that sort, were of no other consequence, than as declaring the affection of the King on the one hand, and the loyalty of the province on the other. A speech made on that day, and containing a protest regarding a matter of constitutional law, was of another kind of importance, and must be noticed.

The Marquis de Maubec, observing that it had been announced as the general wish of the province, that the *new States*, (who were to be organized by this assembly) should be wholly *elective*, called the attention of the orders to the infringement thus made on the rights of the *premiers barons*. It was not on his own account (he said), who would hold himself more honoured in a seat obtained by suffrage, than possessed by right, but in regard to the other *premiers barons*, who were absent from the meeting, and who might claim this distinguished privilege, which they had always enjoyed, as well as the other prerogatives of their baronies. Being charged with no particular commission, as on their part, he would not, however, and for that reason, enter into any detailed consideration of the subject; making only this general observation, that

in an assembly called for the express purpose of recovering and securing the antient rights of the province, it could scarcely appear just to destroy those rights of the barons, of such uncontroverted antiquity and known exercise; and that, at least, some distinctions might be allowed to remain, such as could do no material prejudice to the general liberty of election.

At the same time, the Marquis de Maubec stated, that, as to himself, he should regret no sacrifices of whatever kind, dictated by the general wish, and tending to the general benefit. Yet, he hoped, the assembly would not disapprove the declaration of his adherence to the resolutions, to be adopted by the orders, being qualified with the reservation, and as without prejudice, of the prerogatives attached to his barony in the antient States of the province.

This declaration and protest was ordered by the assembly to be laid upon their table, and to be taken into consideration at an after meeting. I may mention the conclusion of the business here. In the new constitution of the provincial states, as modelled by this assembly of the three orders, under the sanction of the King, no seat could be obtained unless by suffrage. It was this constitution made in Dauphiny, which was demanded also for the province of Languedoc. Some remarks on this matter will be made afterwards.

This

This general assembly of the three orders of Dauphiny, wrote two celebrated letters; one to the King, and another to Mr. Necker. The letter to the King is long, but it is still more important. I shall mention, abridgedly but substantially, what it contained. Both letters are to be found in their *Proces-verbal* of the thirteenth of September.

Having mentioned that great evils are often the signal of the happiest revolutions, that the excess of abuses often recalls those primitive rules which were made to prevent abuses, and that, in the perils of the state, a good prince and a faithful people, uniting their minds and wishes, become thus the founders of the happiness of men and the prosperity of nations; they then proceed to state, that the province of Dauphiny still feels the effect of innovations, which had created the greatest alarm; but that the paternal goodness of the King, the promise to call the General States of the kingdom, the approaching assembly of the states of the province, the province itself now assembled to deliberate on their formation, and the other fortunate circumstances of the times, had left them now nothing to wish, unless that the moment should be hastened, in which their only business and duty should be to bring their thanks and gratulations to the throne.

You, they say to the King, have recognised those imprescriptible rights, which cemented the

union between your ancestors and our fathers ; you have revived those ANTIENT MAXIMS, which made the foundation of the most majestic of empires, which constituted *your* power, which produced *our* glory, our happiness, perhaps even our virtues. Let us never lose this remembrance ; let us hasten from this moment to gather its fortunate fruits ; let us, on these great objects, present to the throne the expression of our feelings, and the tribute of our judgments.

They state, that in the first ages of the monarchy, principles founded in the character of a proud and a loyal nation, set bounds to power, and reconciled the majesty of Kings with the liberty of men. In the anarchy of after times these rights were forgotten, but never forgone. The authority of the monarch rose again, together with the liberty of the subject. The simple prerogatives of chieftainship again grew up into the full exercise of sovereign power ; and the expences of a universal and complex administration, now extended over the whole kingdom, were supplied by taxation, which was now naturally established, between the people as proprietor, and the prince as administrator. This right of taxation was at all times lodged in the assemblies of the nation.

Thus, they say, from the bosom of the feudal government arose a magnificent constitution ; a legislating King ; a court the supreme organ and depositary of the laws ; and a national assembly, in
which

which was placed exclusively the right of taxation, and of sanctioning new laws.

Under these august forms, the happiest harmony reigned in all their counsels. Gathered around their King, the nation felt the felicity of knowing their prince, and being known by him. Freedom was with the people, obeying laws made in their presence and by their consent. Submission was the reward of the sovereign, whose will was carried into accomplishment in the midst of national acclamations. Under a constitution like this, (they continued) Dauphiny came into the dominion of your ancestors; and the chief heads of its privileges are an enumeration of the grand maxims of the French government.

Its sovereign court and states were preserved as essential parts of its constitution. No laws could be executed within its limits, that were not deposited in its registers; its citizens could be carried to no other jurisdiction than their own; no taxes nor new laws could be introduced without the consent of its assemblies. These precious institutions, which made the felicity of the province and the kingdom, should have remained for ever in the keeping of the prince and the people, equally interested in their preservation. A strange power sought disunion, and obtained it. Ambitious ministers, removing mutual confidence, and attacking the constitution, put their caprices in the place of the laws. The nation lost the free expression

of its wishes ; the King his true counsellors ; the people their representatives : about the beginning of the last century, the general states of the kingdom ceased to meet ; and not long after the same unjust power suspended those of the province of Dauphiny. In this silence of compulsion on the part of the people, in this forgetfulness of the constitution, the magistrates alone were found to defend the national rights. They opposed themselves to innovations ; and the people owes them its gratitude : they granted subsidies as in the name of the people ; and by acknowledging their error, they have repaired it. Yet this acknowledgment, which gives the kingdom its only hope of restoration, this generous confession is itself made the cause of their overthrow, and of overwhelming, in the same common ruin with them, the last foundations of our liberties.

They dwell still longer on these proceedings ; and part of the letter is also employed in lamenting, and applauding, and interceding for the twelve gentlemen of Bretagne ; punished (they say) for having wished to carry to the throne that truth which the throne wished to hear. After declaring, that the nation looks forward to its deliverance from all alarm, and its yielding, without fear, to the feelings which attach it to the person of the King, they call, in emphatical, and in most remarkable words, for the undoing of those laws, whose repeal can alone give security for the revival

val of that antient order of jurisdiction, those magistrates, those tribunals, which are the property of the people, an essential portion of their rights, and which can undergo no change without the participation of the people. These are their words.

In the remainder of the letter, they speak of the assembling of their own states, as soon as their new form should be fixed ; and of the convocation likewise of the states of the nation. And they speak of the majesty of the nation and the throne.

The letter to Mr. Necker is very short ; but every word of it is gratulation and praise. The nation (they say) was in alarms, was touching to its fall, when a just king recalled the Minister. This event itself was a great revolution. Universal joy and acclamations succeeded the deep mourning which had spread over the whole realm. The letter concludes with desiring the Minister to enjoy his glory ; while he was honoured beyond what had ever been known in any former times, with the public declaration of the esteem and gratitude of the three orders of a province.

There is much matter for thinking in these letters. Dauphiny was at this time, and for a considerable time afterwards, the oracle of France. As to Mr. Necker, he is certainly the strongest example of *both fortunes* that is found in the history of statesmen. The three orders of Dauphiny had spoken of this minister also in their letter to the King. They stated all their hopes as justified by

the presence of a man, who made Frenchmen forget, for the second time, that he had not been born among them. But, excepting the great moral considerations furnished by it, there is nothing besides in this letter to Mr. Necker, to call forth our attention greatly. It is otherwise with the letter to the king.

From it the extent of the claims (for Dauphiny went the farthest) made by the people are completely ascertained, and, of consequence, likewise their limitations. From it also we learn, not only that France had a constitution, but what that constitution was; and according to the popular faith in both cases. It confirms greatly what has been formerly stated in this work; though we are not quite at one in all points.

The account given of the French constitution by the three orders of Dauphiny, demonstrates how easy a thing it was, to establish a free government in France. There was a separation of the powers, as in the British constitution; with differences (as I think certainly) to the worse. In one passage of the letter, (which I purposely omitted till I should be here), the whole constitution is very shortly expressed, in conformity with what you have seen mentioned already. "The active will," (the three orders say) "and the power of making the laws were reserved for the King alone; to the nation its free consent; and to the magistrates the pronouncing upon the laws as established."

“ blished.” In this scheme, the laws are made to originate with the King, though without authority but by the consent of the people; and how this came to happen in the progress of the French monarchy, has been already sufficiently disclosed. Things might have been ordered better in the new arrangement. But surely Mr. Burke will not now be thought to have said too much, when he said, that “ such a government well deserved to “ have its excellencies heightened; its faults corrected; and its capacities improved into a British constitution.” Not by servile copying; which would have been a foolish and silly thing; but by natural and reasonable progress. By such means, not only France, but all the European governments might have become SISTER CONSTITUTIONS. *Facies non omnibus una, nec diversa tamen.* They were all of the same original Gothic family. They might have recognised and renewed the ties of antient kindred. With family likeness they might have had family affection. They might all have been willing to learn, all have been taught, and have all spoken the tongue of freedom. It is in itself always foolish (and has in the circumstances been most wicked) to talk of universal and perpetual peace. It has been heard of only in the unholy ravings of those, whose minds were full of guilt and war. In the benign visions of virtue, the brightest scenes of prophetic prospect have not been wholly undarkened by passing clouds. The
golden

golden age of Virgil is not altogether free from human frailty and passions.

" *Pauca tamen suberunt priscae vestigia fraudis*

" *Quae tentare Thetin ratibus, quae cingere muris*

" *Oppida, quae jubeant telluri infundere sulcos.*

" *Alter erit tum Tiphys, et altera quae vehat Argo*

" *Delectos heroas : erunt etiam altera bella ;*

" *Atque iterum ad Trojam magnus mittetur Achilles.*"

Even, therefore, had things proceeded happily in France, and to a happy issue, there might (and most certainly would) have still been circumstances for humanity and virtue to regret and pardon. But the sum of European felicity might have been augmented, beyond what any man can venture to calculate ; and in a range, and for a duration in which imagination itself is lost. Liberty might have been worshipped by those who never before heard it named. " IN THAT DAY SHALL THERE BE
 " AN ALTAR UNTO THE LORD IN THE MIDST OF THE
 " LAND OF EGYPT, AND A PILLAR AT THE BORDER
 " THEREOF TO THE LORD." Then, speaking the language of a free people, they might, in the spirit of freedom, have done sacrifice and oblation, vowed a vow, and have performed it. Then, in that covenant of nations, (if this ever can be completely, and as far as it can be) might the bow, and the sword, and the battle have been broken out of the earth. But these things appear not to have been at this time in the counsels of Providence.

dence. The restraining force (for purposes inscrutable to us) was not laid upon the principle of evil. These visions of felicity melted away almost in the instant they were formed; nor were they merely swallowed up in nothing; their place was occupied by realities more dreadful than the most frightful phantoms the mind had ever raised from the womb of darkness, than *night, and all her sickly dews, her spectres wan, and birds of boding cry*; while in the horrid opening that yawned upon the the sight, on which the gay delusions had just ceased to play, was sunk and buried all that was possessed, and all that was hoped for! When, and by what means, that goodness which is above the comprehension of man, shall, by a corresponding power, put it in the competence of human virtue and wisdom to repair this great and general disaster of the human race, is beyond our prediction, and it may be far beyond our time. Our duty is to watch and prepare for its period; whether that arrive in our days, or in those of a distant posterity. It never can arrive, till the violence and wickedness be overthrown, which has threatened to desolate Europe. Our first duty is to overcome and recover. Perhaps, with firmness of heart and modesty of mind, and taking security before, behind, and all around us, what was to have been accomplished, may be accomplished still; but the great and necessary matter is to get round, first of all, to our old station. Two great calamities have
fallen

fallen on the world in our days ; the loss of Mr. Fox's East India Bill, and the destruction of the beginnings of reformation in France. There is no record in the history of mankind of any events of such large, grand, and durable beneficence. That spot of earth might not have existed on which the sun of liberty did not shine. Everywhere freedom would have been felt and seen---*visere gestiens qua parte debacchentur ignes, qua nebulae pluviique rores !* In the course of the natural day itself, the earliest morning light would have been shed on a land of free and just government, and its last rays gone down in smiles on a land of freedom. And this not by the overturning of the old institutions and reverent maxims of nations ; not by general and vague theories about men's rights ; not by making one and the same brain-government the government of all ; but by proceeding on principles exactly the reverse ; by following the original inclinations, habits, manners, and situation of the people ; violating nothing, but leaving nothing uncertain ; meliorating every thing, but preserving every thing ; instead of innovating, taking away innovations ; looking backwards with care that they might look forward with judgment ; repairing more than changing, and seeking to establish, not to overthrow ; the end of all being the people's happiness, fought in principles which the people's natural feelings recognised, strengthened, and would preserve ; such as could be comprehended
by

by their understanding in clearness and plainly, such as directly, and with efficacy, should influence their conduct ; endeared to them by old memorials and present blessings. These things were not merely in prospect and futurity, but in absolute and real delineation and body, in that East India Bill, " THAT SACRED PLAN FOR RELIEF TO " NATIONS." In France, they were only in contemplation, and had been yet embodied into no systematic scheme ; when the hurricane of democracy rose, before which that nation fell. They perished in her overthrow, when she was thus lifted out of her place, in this great unloosening of her foundations. Thus are destroyed the hopes of man, by human perverseness or human iniquity ; by the blindness that will not see, by the wickedness that is resolute on guilt and crime ! God forbid ! that while I lament the fatal miscarriage of that beneficent plan for the reformation of India ; for restoring and improving its antient government, on its antient principles ; I should confound those, or the motives of those, who defeated that grand scheme of benevolent wisdom, with the beings that have ruined France. God indeed forbid, that I should be guilty of this great iniquity ! Yet lamenting the downfall of those fabrics of good which it has seemed fit, in the counsels of heaven, should only be seen, and then sink from our view ; without confounding the means, or the motives of overthrow, the events
are

are themselves matters of great awe, grief, and warning. How much should we avoid the guidance of our selfish passions; nor, under their dominion, ignorantly and wrongfully oppose ourselves to the course and accomplishment of good and wisdom! How stoutly and perseveringly should we resist wickedness; with what firmness and force crush its very beginnings! Otherwise, what are our designs and prospects! "In the day
 " shalt thou make thy plant to grow, and in the
 " morning shalt thou make thy seed to flourish;
 " but the harvest shall be a heap in the day of
 " grief, and of desperate sorrow!"

A great cry is made at the present day, about bringing back the old government of France. To have right notions, it is absolutely necessary to use right words.

If by the old government of France (and it is a sense in which I have sometimes used this term myself) be meant the *later administration* of the French government, it would be criminal indeed to restore it: although any administration of any thing like government (Turkey itself) would be, out of all fight, preferable to what has been in France since the fourteenth of July 1789. If by the old government of France be meant the *constitution* of the French monarchy in older times, the restoration of it would be an act of great virtue. Even if by the old government were meant the general *administration*, (as under the constitutional forms
 in

in the older times) of the public affairs, it would be a very important and desirable acquisition, were this to be established now, as upon the footing on which it stood, before the states of the French monarchy had ceased to make a part of the ordinary government. Were the French nation but here again, and with honest minds and clear judgments, they might yet go on to all the necessary perfection, which the love of human kind, and the spirit of patriotism had so fondly anticipated, and in which they have been so cruelly deceived.

It were well, therefore, that those who declaim against the old government of France, would explain precisely what they mean, in order that there might be no mistakes as to their opinions. It is a time this, in which opinions declared ought to be opinions known. Some of you, Gentlemen, are very intimately acquainted with the affairs of India; and have borne very honourable parts in its concerns. By the *old government* of Bengal, you would not intend the administration of Aliverdy Khan; nor deny that there was a fixed, stable, and just government, which that tyrant, and other tyrants had subverted. Nor could you implore a greater blessing for that oppressed country, than that the old system of taxation, and in all other respects, should be restored; and Bengal made again, what it was in the time, and long after the time, of the Emperor Akbar.

Since I am upon this subject, it furnishes considerations,

siderations, for which this is as good a place as any other, and which should certainly find a place somewhere. They are very forcible, very much to the present purpose, and shall (for the matter) be very short.

Indeed, the parallels between France and India run in many cases together very nearly; and there have even been many more out of the way analogies, than between Sully and Rajah Toorel Mull, or Henry the Fourth and Akbar.

That others (and those among you, Gentlemen, who are like those others) unacquainted with the detail of India affairs, may understand what is now to be said, it is necessary to mention, and it is sufficient to mention, that in the older times of Bengal, and under the Mogul Emperors, a certain fixed valuation, which went under the name of the *Arusil Jumma*, regulated the levying of taxes in that kingdom; and it was not till the usurpation preceding the British dominion, and under the British dominion, that, first, proportionate increases on that *Jumma* were introduced, and, afterwards, a *Hustabood*, or actual valuation of the lands; by which the government making itself the proprietor of the soil, took or left, as proprietor, just what it pleased, without any regard, (unless that it was necessary more plentifully, or more scantily to feed them) to those who had once been proprietors, and whom it still called its subjects. Concerning this universal confiscation, which had been done in act by Cossim Ally Khan,
and

and by the British dominion upon system, Mr. Burke, in his speech on Mr. Fox's East India bill, spoke as follows :

“ Bengal, and the provinces that are united to
 “ it, are larger than the kingdom of France ; and
 “ once contained, as France does contain, a great
 “ and independent landed interest, composed of
 “ princes, of great lords, of a numerous nobility and
 “ gentry, of freeholders, of lower tenants, of religious communities, and public foundations. So
 “ early as 1769, the Company's servants perceived
 “ the decay into which these provinces had fallen
 “ under English administration, and they made a
 “ strong representation upon this decay, and what
 “ they apprehended to be the causes of it. Soon
 “ after, instead of administering a remedy, upon
 “ the heels of a dreadful famine, in the year 1772,
 “ the succour lent to this afflicted nation was—
 “ shall I be believed in relating it?—the landed interest of a whole kingdom, of a kingdom
 “ to be compared to France, was set up to public
 “ auction: They set up the whole nobility, gentry, and freeholders, to the highest bidder: No
 “ preference was given to the antient proprietors.
 “ They must bid against every usurer, every temporary adventurer, every jobber and schemer,
 “ every servant of every European, or they were
 “ obliged to content themselves, in lieu of their extensive domains, with their house, and such a
 “ pension as the state auctioneers thought fit to assign.”

" sign."—I was proceeding with quotation ; one would think, it really was France of which he was speaking ; but I shall go to the concluding part, as otherwise I must be carried too far.

" Such an universal proscription, upon any pretence, has few examples. Such a proscription, without any pretence of delinquency, has none. It stands by itself. It stands as a monument, to astonish the imagination, to confound the reason of mankind. I confess to you, when I first came to know this business in its true nature and extent, my surprise did a little suspend my indignation. I was in a manner stupified, by the desperate boldness of a few obscure young men, who having obtained, by ways which they could not comprehend, a power of which they saw neither the purposes, nor the limits, tossed about, subverted, and tore to pieces, as if it were in the gambols of a boyish unluckiness and malice, the most established rights, and the most antient and most revered institutions, of ages and nations. Sir, I will not now trouble you with any detail, with regard to what they have since done with these same lands and landholders ; only to inform you, that nothing has been suffered to settle for two seasons together, upon any basis ; and that the levity and inconstancy of these mock legislators, were not the least afflicting parts of the oppressions suffered under their usurpation ; nor will any thing give stability to the property of
" the

“ the natives, but an administration in England
 “ at once protecting and stable. The country suf-
 “ tains, almost every year, the miseries of a revolu-
 “ tion. At present, all is uncertainty, misery, and
 “ confusion. There is to be found through these
 “ vast regions, no longer one landed man, who is a
 “ resource for voluntary aid, or an object for par-
 “ ticular rapine. Some of them were, not long
 “ since, great princes; they possessed treasures;
 “ they levied armies. There was a Zemindar in
 “ Bengal, (I forget his name *,) that, on the threat

D d 2

“ of

* The name of this Zemindar, whom Mr. Burke forgets,
 was Rajah Ramnaut. It was at a time when the oppressions
 had already begun; under Aliverdy Khan. So mild were
 they in comparison of British oppressions. But, (passing this
 awful consideration, which is not of this place,) my reason for
 mentioning the name of this Zemindar, and some other parti-
 culars I am also to mention, will be seen presently. It was
 not the *loan of a million*, (at least, according to the account
 that I take it from,) but of *twelve lacks of rupees*; for which
 the Rajah gave an order upon the famous native banking-
 house of the Seets. It is true, that he told the Nabob, he
 might get what he chose; but no more was asked. Likewise,
 it is not clear, that the family precisely wanted credit for a
breakfast at the bazar; a petition only having been presented
 against this Rajah's son, setting forth, that payment could not
 otherwise be obtained of *viçtuals*, (it does not appear, whether
 for breakfast or otherwise,) furnished to his family, and now
 due for three or four years. These things shew that Mr. Burke
 is not wholly accurate in his statement of this fact, *from me-
 mory*, in this speech. And I have mentioned the circum-
 stances

“ of an invasion, supplied the Soubah of these provinces with the loan of a million Sterling. The family this day wants credit for a breakfast at the bazar.

It is not France about which you have been reading, Gentlemen, but India. I observe this again; and not without cause. How like, how very like, are these things! Yet *he* has been said to be inconsistent, who reprobating these proceedings in India, has reprobated them also in France! You see, Gentlemen, very plainly where the inconsistency lies. It is great and deplorable. It is so on both sides; whether of those who sin against the first duties of humanity, by negligence of her great cause, in the one country or in the other.

This destruction of property in act, and in principle, this annihilation of all intermediate ranks in the country, taking away the name and the inheritance of nobility and gentry, throughout all Bengal, was denied or explained on the other side, (there was this difference from France, that it durst not absolutely be avowed, but) with the same

stances of inaccuracy here, for the purpose of shewing into what mistakes Mr. Burke may fall! Notice has been taken already, of the centinel at the Queen's bed-chamber. I knew at the time, but it did not then occur to my recollection, of this instance also. At present, I cannot, by questioning my memory very strictly, recal any other examples, (if any examples exist) of similar inaccuracy, either as to France or India. Whenever I hear of them, I shall be sure to tell.

same spirit as in France, and to the same effect. Upon this, I am to quote a passage of most admirable wisdom. She never spoke more audibly and plainly and forcibly, for the instruction of mankind. In the present times, the words should be got by heart, to be the constant inmates of our mind, and the guides of our conduct.

“ If it should appear, that, through a long discussion of any subject, the mode of stating facts is calculated to make one impression ; that the general tendency, of a series of arguments leads to one conclusion ; that a variety of measures are all systematically directed to one object ; that they cannot, without a contradiction, propose any other ; and that the introduction of such facts, arguments, and measures, would be useless in any other view ; it is of little moment, whether the object be expressly acknowledged or not. Detached declarations, disclaiming the only rational conclusion deducible from the premises, will have no effect, unless it be to prove, that the real object is such as cannot, without inconvenience, be clearly and explicitly avowed. If, for example, it were directly proposed to annihilate that rank of men, in whom the inheritance and property of the lands of Bengal are vested, in order to transfer to the ruling power the produce of their estates, leaving nothing to the owners, but a *competent subsistence*, it is to be presumed, that every man in Britain would

" revolt at a proposition, so full of palpable cruelty
 " and injustice. The body of noblemen and gentlemen,
 " of whom the honourable East India Company is composed,
 " would undoubtedly be the first to disclaim it. It is not likely,
 " therefore, that such a proposition will be suffered to appear
 " before them in its true shape, or in the colours which
 " belong to it. The danger is, THAT BETWEEN DISGUISE ON ONE
 " SIDE, AND INATTENTION ON THE OTHER, the Company may be
 " unwarily made parties to acts of the most grievous oppression."
 " —And immediately afterwards:—" I am not examining the
 " secret thoughts or intention of any man; but the true scope
 " and effect of a public measure, for which I look no farther
 " than to the measure itself, as it stands proposed."
 " ed."

This is the language, Gentlemen, of one of yourselves; a man of most consummate abilities, and of most honourable Indian toil. I thought he would have been in the still more honourable, (because more dangerous, and, in its consequences, more universal) warfare against the democracy of France. It has been a great loss, that the case is otherwise. One cannot help expressing these regrets; but we must not dwell on them. As it is, it becomes us to mind our own duty, and do the best we can.

You perceive the solid and manly grounds, on which he places the judgment of principles and conduct.

conduct. Oh ! with what silly prattling has divine genius disgraced itself in this Session of parliament ! It is a mournful theme ; but why was the wisdom, and the greater virtue of what is above written, so wholly out of mind ! Surrounded by conspiracies on every side ; with measures taken against us so palpable to the sight, as to exclude evidence, by demonstration ; their lines now in motion, and hemming us round ; exultation visible in the most cautious face, audible in the tongue of most guarded silence ; in a danger of such a sort, that a small advantage was victory, and victory was ruin ; in this plain and perilous situation, evidence was called for, as if in an Old Bailey trial for a petty larceny ; and *because* the criminals (like all criminals) pleaded, *not guilty* ! Upon the “ *detached declarations*,” that no evil was intended to the constitution by these enemies and plotters, the measures were held as innocent and good ; when in the spirit of wisdom, in the passage I have quoted, these declarations disclaiming the rational conclusions from conduct, were themselves the strong evidence of deeper guilt ; were themselves the means, and the most certain means, of accomplishing the utmost purposes of guilt. This also was done in times (I shall not say by those) that believe in secret and flagitious anecdote ; made itself the ground and justification of treason and crimes, without evidence and against evidence.

Of a piece with this empty palaver, was the celebrated dilemma, about negotiating with the present rulers of France. All war ends in peace given or asked ; and all peace of whatever kind is by negotiation. Accordingly, there must be some negotiation, or no peace ; and if negotiation, is it not plainly better before war than after it ? Dilemmas are easily enough framed, and prove nothing (as in themselves) as to the abilities of the maker of them. It is only small fry that can be hooked by them. Here, it was the most gross begging of the question that ever took place, or indeed it was worse. It laboured under all the logical disabilities, with names or without names. The parties were at issue upon this matter, (most certainly a fact in itself, and which the argument supposed to be a fact,) that by secret and insidious hostilities, the constitution of this country was sought to be overthrown, under the pretences and name of fraternity and friendship. But the dilemma is worth nothing, and will be hooted out of the schools, unless upon the ground of there being an open quarrel, upon understood circumstances, that could be fairly settled by mutual compromise, and consequent reconciliation. These had hitherto been the quarrels of nations. Here, the danger stated, the evil, the mischief, the very calamity, and the ruin itself, was—*negotiation*. It was putting the pistol in the highwayman's hand. It was arming the assassin with his dagger. This
was

was the danger. If this was denied to be the matter of fact ; then we were at the question of evidence again ; and the dilemma went for nothing. Ingenuity might have said, (though I do not know that it was said) that this was hard ; to refuse the demanded proof, and to reject the dilemma as if upon proof taken. But the answer of plainness, was the evidence of sense. It pointed to France, and was silent. There was no question but of evidence ; and the question was thus answered. Yet the dilemma ruined, by even making the matter a question of proof, went farther than requiring proof, and held that no evidence at all was necessary ; that there was no machination, conspiracy, nor plot ; no deed, no thought of evil. And thus not being in the situation described, it was most admirably proved that we ought not to act as if we were in the situation described. Strange ! that such things should fasten on such understandings ! and so suck out the blood of intellect, as to leave the brain dry of every thing but the dust and powder of logical puerilities. It is an insult to reason, to call them even reasoning. *There is no speculation in them.* They are worse than the sacrifice, with which Jupiter was condemned in times of old. They are a *heap of dry bones* ; and not even (as for the shew of sacrifice) *covered with fat.*

It was, besides, a very strange thing, that, in this matter, those who condemned what they called

led state etiquette the most, founded their own doctrines only in state etiquette. The controversy, when brought into formal propositions, was the recall and appointment of ambassadors ; as if the national convention (as they are termed) had not spoken by their own mouths in their own decrees ; as if they needed an interpreter ; as if this go-between (contrary to the very principles of their *government* I shall call it) could have bound their nation ; as if this rag of royalty had been a necessary republican instrument ; as if (in short) power in its modes of exercise, in all its qualities as well as quantity, had continued the same, with a change merely of persons, but of the government itself neither in its principles, nor in its forms. It was thus that the reasoning went on ; faulty and foolish in this respect simply ; had there even been in any other respect any claim to any kind of wisdom, as there so very clearly was none.

I have not mentioned these foolish opinions as held by any man distinctively ; and I will not mention them, as having been so held by any man. He who chooses to forget them as having ever been held by himself, shall never have their memory revived by me. If they have passed as visions through any mind of such native nobleness, energy, and comprehensive wisdom, as to make it a cause of astonishment, that they should even thus, and transiently, have been received, the ugly dream shall never be by me recorded. May its very tradition
perish !

perish ! I am willing yet to bend (as I have bent) the knee. But I will not worship even with him, who was the high-priest of the liberties of this nation, when the sacrifices are offered with strange fire !

In France, the destruction of property was attempted to be palliated by a double injustice, in holding out those who possessed the property, as an unworthy order of men ; who deserved no favour, and had even no title to complain. The same thing was done in India. I go to the same authority from which I took the passage of wisdom, that has furnished me with the commentary I have just ended.

“ An endeavour to appropriate nine-tenths of
 “ the nett produce of the country, is prudently ac-
 “ companied with an attempt to vilify the persons,
 “ who are to be divested of their property. A
 “ violent and arbitrary reduction of some thousands
 “ of noblemen, gentlemen, and freeholders, (for
 “ such ranks there were in Bengal, as well as in
 “ England,) to a competent subsistence, that is, to
 “ the level of the peasantry, might perhaps excite
 “ some degree of remorse and compassion in Eng-
 “ land. The next step is to shew, that they are
 “ incapable of acting for themselves, or that they
 “ deserve no mercy.” Instances are then given of
 this ; and the accusations are of a very contradic-
 tory cast. And from them the conclusion is just-
 ly drawn :---“ At this rate, whether they save or
 “ dissipate their fortunes, they are equally danger-
 “ ous

"ous members of society, and in both instances
 "subject to the coercion of government."

It is strange, very strange, that these sentiments as to proceedings in India, should not have been equally expressed as to proceedings in France. The *competent subsistence* to the French clergy, was surely no better than that to the Zemindars. Some degree of remorse and compassion in England was naturally to be excited by it. It is strange, very strange, that Mr. Francis should not have expressed it. But the same gentleman, will let us into still more similarities between India and France; however different his expressions may be as to these nearly same measures.

The nobles and clergy in France, were accused of oppressing the peasantry. This was another pretext. And the rights of this class of men, were held forth with great pomp and circumstance, as the cause and the justification of all. The same thing was done in India.

"Why is so much care taken to fence and secure
 "the Ryots (the Bengal peasantry) against the arbitrary power of their Zemindars? or why are we
 "told, that the wealth of the country is to be found
 "in the wealth of the commonalty alone?" Mr. Francis having asked these questions, which almost give their own answer, and going into matters of detail, which cannot be placed here, makes this concluding remark, upon the different accounts given of the Zemindars as different purposes required, and
 supposing

supposing them to have been even at times guilty of oppressions.

“ On all these opinions, whether reconcilable or not, I shall make but one remark ; that whatever defects or offences the Zemindars may now have to answer for, ought justly to be imputed to an arbitrary, rapacious government, from whose practice oppression originates and descends through every rank ; which confounds and degrades all orders of men ; and, by violently changing their situation, forces the highest to adopt and act upon the contracted principles of the lowest.”

The wisdom of this passage is not much below that which I first quoted. Mr. Francis ascribes any oppressive conduct of the Indian landholders in the case of their tenants, (by confession only recent among those who alleged it most) to the equalizing tyranny, which taking away dignity of rank and security of property, took away the stability and operation of morals and honour. I know very well, that the Mogul government in India, was a very mitigated despotism ; and that there were even such restraints from religion and law, as to make it scarcely, in the name even of the thing, a despotism. I know, too, that Bengal especially, had been under a very stable and a very paternal government. But still degradations of rank, and violent changes of property, could not be more mischievous and unjust in Bengal than in France, upon any considerations of the rights

rights and duties of government and subject. It was an act in France more lawless and abominable still; in the face of institutions and principles, more ascertained and known, of constitutional law and authenticated history.

How this very able man should not have set his face against the proceedings in France, is to me incomprehensible. How that perspicacious and wide-ranging mind, which formed the *plan for a settlement of the revenues of Bengal*, should not rise up in a sort of impetuous strength against their measures and maxims, is what I cannot conceive. It was a mind that met with philosophic vigour the little objections of common detail. It was a mind that, with deep and comprehensive investigation, exposed the crude generalities of mere reasoning. It was the mind fitted for this very occasion; and it has refused its services. The refusal is punishment; and I shall not aggravate it.

Before returning to the General Assembly of Dauphiny, I must speak a word or two with my friend.

After having given the robbers of France (and they certainly can find it there, in what I would certainly call villany, had not the man written it very honestly, and merely as in his innocent common-place) a refuge for their crimes in an opinion of Turgot; he proceeds to consider, at some length, the confiscation of the church-property in France. I have merely a slight remark or two to make, in consequence

consequence of the connection of this matter with what has been just above stated. The whole of my friend's argument on this subject, will be found from page 82 to page 102 of the fourth edition of his book.

He proves very clearly, that when the state abolishes any institution as mischievous or useless, then the offices or places in that institution fall with the institution itself. Indeed, were this not the case, the institution would not be abolished. "The salaries of a class of public servants," (as he therefore very truly says,) "are, in all these cases, refused by the state, when it ceases to deem their service, or the mode of it, useful." He proves with equal clearness, (and indeed it is only a particular application of the general principle,) that where a nation (which yet so very seldom happens, is so difficult to do, should so seldom be done, and could not now be done in this country) changes its religion; which among *Christians*, besides, must be in discipline and establishment always much more than in doctrines; that then the establishment of Episcopacy will not at all quadrate with the œconomy of Presbytery, and that the splendour of the one must yield (as in such cases, it has always yielded) to the sobriety of the other; while, of consequence, the revenues, after supplying the new establishment, go, in their surplus, to other purposes, better or worse than they did before, as the thing may happen, but necessarily other than

than those which now no longer exist. All this my friend has most clearly proved. All this was so evident, as not in any way to need to be proved. And all this, has nothing to do with the question of the property of the clergy, in the lands of the church. What the question itself is, as with the French confiscators, we shall soon see, Gentlemen.

My friend acknowledges the necessity of indemnification in all cases; and indemnification being a matter wholly of equity is a matter, accordingly, wholly of circumstances. It is *in arbitrio boni viri* upon a view of the whole case; and there we shall for the present leave it. My friend has indeed said, that the question of church property had been confounded (and he must mean by Mr. Burke) with the claims of the present incumbents; but this is among the least of the mistakes that occur in his whole argument.

The greatest mistake, and upon which his whole argument rests (so far as the argument applies any way to the question,) is, that the lands of the church exhibited none of the characters of property, as being inalienable and limited, while he conceives it to be of the very essence and definition of property, that it should contain the unlimited rights of enjoyment, alienation, and even abuse. So that my friend's admirable sense and accurate judgment have, in the service of this French revolution, been made to deny the existence of qualified property! So that the great mass of entailed property in Scotland, and
what

what landed estates are held in a similar way elsewhere, are not property! So that the Civilians have been all fools, who defined *dominium* to be *jus ex quo facultas nascitur de re disponendi eamque vindicandi*; NISI VEL LEX, VEL CONVENTIO, VEL TESTATORIS VOLUNTAS OBSTAT! So that the founders of the Roman law, must have displayed more absurdity still; when there is a title in the institutions of Justinian, concerning those cases in which the proprietor cannot alienate, and those in which he can alienate who is not proprietor!

Property is susceptible of a thousand variations, it exists in a thousand modes, and is property still. When a man of very great ability speaks very great nonsense, it puzzles one extremely. We always think there is something that we do not see. I have looked at, and into my friend's argument again and again; and I can see nothing. There is nothing.

He says, it is confessed that no individual priest was proprietor, and how can there be a *body* of men possessing property that belongs to none of them *individually*? Did my friend never hear of *res universitatis*? that great division of things in law: and did he not know that they were not (another great division in law) *res publicæ*? as well as that they were not *res singulorum*? And did he not know that all these were equally *property*? of the *universitates*, or corporate bodies; of the *public*, or state; of *individuals*? and all ex-

clusive, each of each, to all purposes, and in all respects whatever?

He speaks of the *corporate* property of *voluntary* associations. Does my friend really think that a *societas*, or mere company, or voluntary partnership, is an *universitas*, or corporation?

He says, that the property of a *societas*, or company, or voluntary association, is as sacred as individual property. It is individual property; and, as such, it is neither more nor less sacred than any other property.

He says, that the clergy are only intrusted with the *administration* of the lands from which their *salaries* are paid. For whom are they administrators? For the state? Then where is the state's profit, after the salaries are paid? For themselves? Then they are proprietors.

He states the lands held by the clergy as similar to a farm of which the rents are not levied, being given to a servant in lieu of his wages; and he asks if the not levying of the rents is a relinquishment of the property? If a case of this kind were made out for opinion, it would need to be stated with its circumstances. It is an illustration which needs much to be illustrated.

This illustration (holding it to be intelligible,) does not carry the argument an inch forward. It stands still. Supposing the state to have given *territorial pensions* to the clergy, (as my friend calls them) instead of *pecuniary pensions*, what analogy
has

has this with not exacting the rents of a farm from your steward, but imputing them in whole or in part of his wages? If the steward was in possession of the farm as tenant before; the *forbearance of exaction* of rent by the master, is equivalent to *payment* of wages to the steward, and can be no transference of property, unless such transference is expressly made; but it has no connection with the case of the clergy; for *non-exaction of rent* and *granting a pension*, are two things totally different. Here the servant's claim for wages, and the master's claim for rent, are set off against each other. This is the whole affair. If a farm was given to the steward not formerly in his possession, the same thing takes place; the deed settling the transaction, would express what was done, and the meaning of parties; and he would either have the property wholly to himself, or the possession during the term of his service, or for a number of years certain, or at the will of his master, or at his own will. These are all the possible ways of conceiving the thing; and some of them awkward enough. None of them illustrate the subject they are brought to illustrate. They do not illustrate it, if the property is transferred. They do not illustrate it, if the property is not transferred. It would be as much illustrated, by stating the cases of buying a yard of tape or a pennyworth of sugar-candy.

But what is a *territorial pension*? I never heard of any such thing before; nor did any of you more than myself, Gentlemen. We have all heard

of pensions and other things secured upon land ; and if any body thinks it a good name, he may call these territorial pensions if he pleases. But names make no difference as to things. The clergy have not a pension payable out of lands ; they have the lands themselves.

And so my friend himself owns and states ; but he says that the estates are vested in them by a fiction.

By a fiction in law, a person is often held to have that which he has not. A fiction to make a person not have that which he has, is quite new.

It is wholly impossible to find words for it. Estates vested in the clergy, of which they draw the rents, of which their body has been in possession for centuries, with regard to which they exercise every act of property, maintain and defend actions in courts of law ; these estates are said to be only the fiction of property. If it so be ; give me the fiction, and let him have the reality who pleases.

And here again my friend brings in an illustration to darken the subject.

First, take his own way of stating it. He says that in Scotland, the vassal in lands is *formally* stripped of the property which he in *fact* enjoys. If this be the case, it is an instance the reverse of what it is brought to illustrate ; for *here*, with the fiction of not being proprietor, he is proprietor ; while, in the case of the poor clergy, with the fiction of being proprietors, they are not proprietors.

My friend will not say that the one fiction, because it is a fiction, proves the other fiction ; which would equally prove all fictions.

Thus it fares with the illustration or analogy, in my friend's statement of it. But my friend's statement is——

The law of Scotland has no such foolish fiction, nor can it be in any law.

The superior and the vassal have both of them rights exceedingly well known, and which nobody can take from them. But it does so happen that the vassal's right (in direct contradiction to what my friend states,) is, by way of eminence, called *the property*. Every day persons speak, (and the laws speak) of the *property* of lands in opposition to the *superiority* of lands.

E e 3

Both

* By a recent decision, *Lillias Bald* against *Jane Buchanan*, March 8. 1786, (affirmed on appeal in the House of Lords,) the right of property in lands was held so exceedingly distinct from the superiority, that the property coming into the hands of the superior, was found not to be consolidated with the superiority, without what the law of Scotland calls a resignation *ad remanentiam*, by which alone, the property of the lands, thus resigned by the vassal to the superior, could be consolidated with the superiority in other cases, and which even *here* was found to be essential, where the resignation was to be made by the man to himself ; by the vassal himself to himself as superior.

There was only one judge of another opinion ; which was most certainly the feudal doctrine. The *jus nobilius*, the superiority,

Both rights, and rights equivalent to both rights, have been called, equally in older and later times, by

ty, was held to draw the property along with it, to create consolidation *ipso jure*, when the property happened by any means to come into the hands of the superior. The grounds of the decision are not my business here. They were not feudal; nor is there any thing feudal now in the law of Scotland, except the names; nor has been for a long time. But on feudal grounds themselves, my friend is equally unfortunate. The feudal law would not have gone the length which this decision goes; it would have made the property consolidate with the superiority, *ipso jure*, when both rights came to be in the same person. But they were equally separate and distinct rights at all times; according to the conditions of the grant. Both were (using the word as a general term) rights of property. At first, the grantee held at the will of the granter. Afterwards he held for life. Afterwards he held in perpetuity. The conditions of the grant regulated in all cases; as it was necessary it should regulate in all cases; it ascertained the rights of the superior and the rights of the vassal. And these became the law of the land.

I am ashamed of saying all this. The same thing happened in the Roman law. One person might have the enjoyment (*ususfructus*); another the property (or *nuda proprietas*;) for the Roman law used the term property (in this respect,) in a sense opposite to what we use it in Scotland; as if it were superiority. Upon the expiration of the usufruct, it consolidated, by the Roman law, *ipso jure*, with the property. Both were property as a general term; the one being called *naked property*. Had my friend said that the clergy were usufructuaries, and that the state had the *nuda proprietas*, he would have said something less apparently absurd, though as absurd really. They are neither usufructuaries nor vassals. And if they were usufructuaries or vassals, they would be proprietors.

by the name of *dominium* ; the one *dominium directum*, and the other *dominium utile*. These names were unknown to the old Roman law ; but it acknowledged the thing. There are here no fictions.

Next my friend comes upon the matter of prescription, which, he says, cannot do here, *because the rights of property had never been exercised*. Nay ; —but he does amplify amazingly as he goes on ! I thought the rights of property had been exercised, though exercised only by fictitious proprietors ; and might not this fictitious exercise, by running the term, make at least a fictitious prescription ? But my friend had dealt enough in fictions ; and was resolved to be done with them.

As to the real affair ; if there was need of prescription, there is enough of it. But there is no need. The length of duration has its effects, to be sure, but they are in another way.

And now having felt round the argument in all parts, for it cannot be seen ; let us come to the main question, as with the confiscators of France, which can be settled in a twinkling.

Has the state not only a right to abolish or new model institutions, but, abstractedly from the power of abolition and change, a right to seize upon the property belonging to the bodies forming these institutions ? I say most boldly, and peremptorily, and in the face of any man, that the state has no such right. Now this is the very question to be decid-

ed, between the suffering citizens of France and their robbers.

The state ought to abolish or change no institution, but upon good and strong and weighty grounds: it may (in point of power) abolish or change any institution, upon any grounds or upon no grounds. If the institution be wholly taken away, or so far taken away; the property belonging to it will be taken away, or reduced in proportion; with an indemnification to the holders of the property; and if the measure be unjust and lawless, the indemnification will follow its quality. But let the accidental qualities of the measure be here out of view. It will be taken away or reduced, as being the property of the body, not as being *not* their property. It will be taken away, because there is no more use for it; it will be reduced, because there is not use for so much. Whatever is left, will continue the property of the body still; untouchable by the state, *as property*, though it may be made to cease *from being property*, by the state. This right the state has most unquestionably; and it has been exercised sometimes with justice, and at other times with manifest injustice, among various nations. But whatever injustice may have been done, the principle of injustice itself was never maintained, till the French robbers came. Not even in India.

They maintain, that without any regard to the subsistence of the institutions as useful or pernicious, their property (what has been called their property,)

erty,) belongs to the state, and may be applied to the exigencies of the state. A number of practical consequences flow from this.

The most wealthy body will always be the least useful, or the most pernicious. Riches will lead to abolition, in the case of corporate bodies, as in Turkey they bring a man to the bow-string.

In the rightful claims of the state, the fall of the property, is a consequence of the suppression of the institution. In this demand of plunder, the suppression of the institution is a consequence of the violent carrying away of the property that supported it.

In the one case, errors may be committed both in the preserving what should be taken away, and taking away what should be preserved. In the other (besides our human weakness) injustice counsels and executes.

Where the property is held to be in the body, the plan to destroy must be accompanied with strong reasons, to get the better of that defence which the right of property naturally begets. Where the property is held to be in the state, a claim is a title; the state takes its own; and it may lawfully enough demand, before it be stopped, that strong reasons of utility should be brought forward against it. This is supposing moderation to guide; not mischief. Yet even here, who is to judge; and how long will the parties be allowed to prepare for pleading! The state (in such matters)
when

when it puts in its claim, clearly declares it will support its claim. There can be nothing held securely in such a nation. Not even upon moderate schemes. But they who hold this principle will never have moderate schemes.

It is, accordingly, of the greatest use, this new doctrine, and of the very highest rank in the new faith. It gives the pretence of principle to a most unprincipled act. It makes the people accomplices in the people's plunder. The nation in this way plunders the nation, till the nation ceases to exist.

And now we are just where we were. My friend mentions many nations who have reformed their ecclesiastical establishments. Among others, we in the British islands, did it. In Scotland especially, the reformation ; went to a much greater degree of retrenchment. Many bad things were done in Scotland, in accomplishing the good work of reformation ; but this is not to the point. When it was accomplished, the property of the old establishment fell with the old establishment. But there was no man in Scotland maintained it was not the property of the old establishment, while the old establishment continued. The old clergy were not held to have as little right to it, as "seamen to the property of a fleet which they manned, or soldiers to that of a fortress they garrisoned ;" an analogy in this case which is just as distant ; that is just as much nothing ; as

in the other instances I have noticed. The French claim was unknown; the claim to seize property, without any question, and independently of the question, of the suppression or change of the institution. It is nothing, that this may be brought in to colour the proceeding. I speak of the principle; that principle which forestalls injustice and panders crime.

Accordingly, (and this matter being settled) the only question that ought to be, that upon principles of right *is*, in all such cases, is the question of the utility of the institution, and the character of the persons belonging to it; and with regard to this again, unless very manifest inutility be proven, the very circumstance of its existence, much more of its long existence, comes into the consideration of abolition or change, and comes very strongly. But here we are fairly out of the thickets, and have got at length on the turnpike. You can find your way yourselves, Gentlemen.

One thing only remains, before I part with my friend. It is the matter of indemnification. My friend here allows, what is certainly not in the democratic principles, and has not been most certainly in their actions. I could detect more fallacies of my friend here too; were it worth the while; and he gets into a strong declamation against the *priesthood*; the technical name for the clergy when they are to be abused. But what I mean to place here, are Mr. Burke's notions on the
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the subject of, what my friend would call merely, indemnification, though they are differently held by Mr. Burke; and as considering the strong claims that arise, from what even (taken strictly) is not property out of the disposal of the state. It is not in the book on the revolution I am going to seek. They lie before me in his speech on æconomical reformation. It is too long; or I would likewise insert (as an admirable illustration of the general argument,) the introductory matter of his speech on Mr. Fox's East-India bill.

“ There is a great deal of uneasiness among the
 “ people, upon an article which I must class under
 “ the head of pensions. I mean the *great patent*
 “ *offices in the exchequer*. They are in reality and
 “ substance no other than pensions, and in no
 “ other light shall I consider them. They are
 “ sinecures. They are always executed by de-
 “ puty. The duty of the principal, is as nothing.
 “ They differ however, from the pensions on the
 “ list, in some particulars. They are held for life.
 “ I think with the public, that the profits of those
 “ places are grown enormous; the magnitude of
 “ those profits, and the nature of them, both call
 “ for reformation. The nature of their profits
 “ which grow out of the public distress is itself,
 “ invidious and grievous. But I fear that re-
 “ form cannot be immediate. I find myself under
 “ a restriction. These places, and others of the
 “ same kind, which are held for life, have been

“ con-

" considered as property. They have been given
 " as a provision for children ; they have been the
 " subject of family settlements ; they have been
 " the security of creditors. What the law respects
 " shall be sacred to me. If the barriers of law
 " should be broken down, upon ideas of conveni-
 " ence, even of public convenience, we shall have
 " no longer any thing certain among us. If the
 " discretion of power is once let loose upon pro-
 " perty, we can be at no loss to determine whose
 " power, and what discretion it is that will prevail
 " at last. It would be wise to attend upon the
 " order of things ; and not to attempt to outrun
 " the flow, but smooth and even course of nature.
 " There are occasions, I admit, of public necessity,
 " so vast, so clear, so evident, that they supersede
 " all laws. Law being only made for the benefit
 " of the community, cannot, in any one of its
 " parts, resist a demand which may comprehend
 " the total of the public interest. To be sure, no
 " law can set itself up against the cause and reason
 " of all law. But such a case very rarely hap-
 " pens ; and this most certainly is not such a case.
 " The mere time of the reform, is by no means
 " worth the sacrifice of a principle of law. Indi-
 " viduals pass like shadows ; but the common-
 " wealth is fixed and stable. The difference, there-
 " fore, of to-day and to-morrow, which to private
 " people is immense, to the state is nothing. At
 " any rate it is better, if possible, to reconcile our
 " œconomy with our laws, than to set them at va-
 " riance ;

“ riance ; a quarrel which in the end, must be destructive to both.”

When one begins to quote Mr. Burke, we are always tempted to go on. I could quote many pages to come. The reasons assigned for preserving the *patent offices*, even after the present lives and reversioners should fall, and only reducing them to fixed salaries, are most beautiful and wise. They are in the very teeth of democracy. So indeed is the whole speech. But I stop here. These principles laid down as to the *patent offices*, I shall leave as I have transcribed them. Their application is indeed obvious.

Long ago, I settled all accounts with my friend, as to freedom of remark and animadversion. He knows my way of expressing my mind ; and, after all the fictions of which we have been talking, he would not like me to assume a fictitious personage. Besides this is not a cause of soft and silken phrases. I have now finished all I had to say. The state has no power over property, (that is power derived from right,) of any sort or description at all. Some lawyers have made a distinction (and the thing unquestionably exists) of *dominium eminens* and *dominium proprietatis*, as in regard to the state ; the first being that which concerns the general superintendence and care of the state over all property in it, of whatever kind ; and the other being its own property in *res publicæ*, or things belonging to the state as such, and immediately. And there is a maxim of the Roman law, adopted (I believe) in
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all law ;—*interest reipublicæ nequis re sua male utatur.* The rights arising from this maxim, are of policy and circumstance, more than of laws ; and in very free governments the maxim is apt to meet with not unfrequent opposition. However, the state has an undoubted right to the wise exercise of this superintending care ; and we may safely admit with Mr. Burke, in the book on the revolution, that while the state, as to corporate as well as private property, “ is not the proprietor, either for “ *use or dominion*,” it is yet “ the guardian and “ the regulator ”

The three orders of Dauphiny continued sitting till Sunday the 28th of September. They made out a constitution for their states, which consists of sixty articles. They might have spared themselves the trouble, if they had had the second sight. It deserves some consideration.

First of all, the principle was fixed, that it was of the essence of all true representation, that it should be by the free choice of those who are to be represented. On this account, the claims of several privileges were rejected ; and, in particular, the claim made by the Marquis de Maubec for the baronial noblesse ; and this without any regard to their being founded in the old constitution of the states. All salutary changes made in the constitution of the states, would be sanctioned by the king ; and there could be none more salutary, than this of establishing the right of free election ; so
essential

essential in itself, and so much desired by the province. Thus, at once, the whole inelective seats of the French barons were taken away.

It is an idle thing, as in itself, to speak now of what might have been the best constitution for the provincial states of the French monarchy. But it is far from being clear to me, (taking the matter in its principle, and as applied and as applicable to other schemes and proceedings,) that it would not have been right to retain the inelective seats, with such changes and limitations as expediency suggested. Expediency was no ground, (or a small ground) of the proceedings that, now even, took place in France; and of those even that were conducted with formality and deliberation. It was *right* alone they considered; that is their own notions of what was right; while expediency was judged of by opinions, not opinions submitted to the test of expediency. A measure of this kind shews, and taken in this manner it especially shews, how culpably in all respects, and every where, the government was abandoned to the attacks and demolition of theoretic innovation.

The states were to consist of one hundred and forty-four members, the representatives or deputies of the three orders; of which the clergy were to send *twenty-four*, the nobility *forty-eight*, and the tiers-etat *seventy-two*.

In this way, the states of Dauphiny set the example to the kingdom, of the *Tiers-Etat* having a repre-

representation equal to that of the two other orders. This constitution *appointed* for the *states*, had indeed been *assumed* for themselves by the *orders* who met at Romans under the sanction of the King. On the first day of their meeting, the members of the nobility who had been elected into this assembly of the orders, and who had arrived at Romans, were one hundred and ninety. The nobility restricted the voters to this number. Of the clergy only forty-eight had come up; and it was resolved to count each vote as two, to the length of ninety-five. In consequence of these proportions, the *Tiers-Etat* fixed *their* numbers at two hundred and eighty-five; precisely equal to the two other orders united. The whole were to make one body. This was done by the consent of all the orders, and of their own mere authority; which was, however, held as completely legal. There are here two very strong considerations. The two other orders surrendered themselves willingly and wholly to the commons. This was done as a previous act, and before proceeding to constitute themselves an assembly. Such was the want of foresight, such the facility; such was the assumed power, such the tolerance of usurpation. In both views Dauphiny was held out as an example to the whole kingdom; while her states were declared openly to be the model of those that were to assemble as representing the nation. These things happened before the notables

were called; they happened before the *arrêt* of the King in counsel, the royal proclamation against the other orders in favour of the *Tiers-Etat*. With what happened afterwards, was it possible that the general states should meet, and the *Tiers-Etat* not triumph!

I shall not go into the other parts of this provincial constitution. It was formed as on a system of great permanency. Perhaps this is the most remarkable matter of the whole.

I must leave untold many things of great importance to be told. I cannot speak of the affairs of the provinces as I intended to do. My work grows upon me; and I must have an end. I go directly to the meeting of the states general.

They met at Versailles on Tuesday the fifth of May 1789. The first proceedings are of vast importance to be known. I have left myself *now* neither space nor leisure, to speak of any thing further than these first proceedings. And indeed as to them, and as to every thing else now to be placed here, what I say will (in relation to what I should say) be as an index only, or a table of contents. I know not whether I shall ever at any time afterwards do more. But I have now only a few pages to put volumes in.

The *verification of powers* was the first business that occupied the states. The forms observed in the French national states to ascertain that the members

members were duly returned, appear to have been the same with those that take place, for the same purposes, (only that there is no division of orders in this last) in the General Assembly of the church of Scotland. There is nothing analogous to it any where in England. The writs of return (called in Scotland the *Commissions*) were deposited by the returning officers in the hands of the delegates themselves, by them presented to that chamber of the assembly of the states to which themselves belonged, and examined as to their validity by a committee appointed for that purpose, and whose decisions were subject to review. Whatever form the states should take at the beginning (it was easily seen) must guide wholly, or chiefly, in all the after proceedings. The *Tiers-Etat* saw themselves equal in numbers to the two other orders. This gave them great power; but it was not wholly irresistible. While the states should vote *by orders*, they were still under some check. This mode of voting by orders, had been the invariable rule in former times; unless in the very early assemblies of the *Champ de Mai*, or unless in particular cases made by common consent a matter of common discussion; a matter not without analogy to the conferences in England between the two houses. The scheme now was, that the three orders should form one house; the votes to be counted by the head. The *Tiers-Etat* could not then be resisted. This had been done in Dauphiny; and what had been done there, was not only example but authority.

The first step to have the thing established, was *verifying the powers* ; or examining the validity of the writs of return ; not in separate chambers but in one assembly, and as in a common concern that ought to fall under common judgment. The project of having but one house, and of abolishing the orders, as in their separate legislative existence, was not new. Besides that the prototype was found in Dauphiny, it had been in much conversation and discussion through the kingdom, and of debate, though not of decision, in places of authority, for a long time before. Nothing was done by authority to discountenance it. It now began as a struggle for power ; and the contention was not of long duration.

It was as evident before the event as after it (though here, as in other instances, the object was not at first avowed) that verifying the powers in common was abolishing the orders. But it had another injustice ; and at the very first sight. Even if it had only been a verification in common, the *Tiers-Etat* by their numbers could reject all those commissions to delegates that themselves pleased, and have moulded the assembly to their mind. In this way it was a claim of ambition and wrong ; had it even been to stop here. It held out, as a common deliberation, the assumption of power in the *Tiers-Etat* to admit and reject the members of the other orders. In this instance, the abuse of names was conspicuous, which has since been fo
great

great an instrument of the French oppressions. Usurped power was termed equal justice. The domination of one order was said to be the agreement of all.

This first proceeding was so palpably indicative of what was to follow, that those who saw it, should have seen much more. The appellation of *Tiers-Etat*, which had formerly been reckoned a most honourable distinction, and much boasted of by those who stood up for the new measures, began about this time to be disclaimed as a term of reproach. And it was about this time likewise, that first in any great degree, the third order began to call themselves by the magnificent and now degraded name of *the nation*; thus excluding all others from any fellowship of right with their newly instituted and highly privileged cast, who were now to display their pride and power, with such pomp and oppression, in the face of all Europe.

Among the persons elected into the *Tiers-Etat*, was the Count de Mirabeau. It was a great calamity, that this should have happened. As far as I can take upon me to judge of a matter of French local law, the nobility of Provence did wrong in finding Mirabeau not entitled to a seat in their assembly, upon the legal objection stated to his titles; and which circumstance led (as appears very probable) to his throwing himself with more vehemence into the cause of the third order. At any rate, there should have been no strictness of legal dis-

cussion. In point of nobility the Count de Mirabeau was entitled to hold his head as high as any nobleman in Provence. It had descended to him in the hereditary course of nearly six centuries. Many of his ancestors had also been men illustrious in their day. He has himself enumerated the services of some of them. I remember likewise, that there was a gentleman of the name of Mirabeau in the carriage with Henry the Fourth when he was slain. And as to consideration in other respects, I have been misinformed, if upon the death of his father the Marquis, which happened shortly after the meeting of the states, the Count de Mirabeau did not succeed to an estate in Provence of several thousand pounds Sterling a-year. The Marquis was alive at the time when the nobility of Provence gave that legal decision, which found the son not qualified (upon the titles he had produced) to a seat in their body. It had fatal consequences. It is certain that the Count de Mirabeau was proud of his name and ancestry; and his nobility he loved even afterwards in rejecting it. A thousand evidences of this are discernible in every thing he said and did; and I have been assured by a friend (and it is in strict conformity with his general character) that he could not bear to be addressed by the name of Ricquetti. How the energy of evil might have been circumscribed within this circle of nobility, cannot now be told. It was not drawn around him.

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It is needless to say that the *Tiers-Etat* succeeded in this first struggle ; the prelude and the means to all their future success. Mirabeau did knights' service to his new allies. It is a remarkable thing, that as the Count de Mirabeau was the most vehement and firm in supporting the claims of the *Tiers-Etat* ; having declared that he should remain, though alone and while alive, in his place and exercising his representative functions, in opposition to all power and authority whatever that should attempt the contrary ; so his brother the Viscount de Mirabeau, when after the first desertions the nobles came at last in a body to join the *Tiers-Etat*, who had now constituted themselves the National Assembly, declared, with equal vehemence, his resolution to remain even alone, exercising his duties of a representative as in his own order. Circumstances rendered the one resolution easy to be kept ; and the other wholly impossible.

The arts that were employed and the little formal advantages taken by the *Tiers-Etat*, are as remarkable, as the violence of their proceedings, and the arrogant injustice of their claims. The government had published an advertisement, mentioning that the place appointed for the reception of the deputies of the three orders (" *le local destiné à les recevoir*") would be ready by nine in the morning of the next day after their first meeting. It was upon this circumstance, and holding the expression *le local* to mean the room in which all the

orders had assembled on the day of opening the states, that the *Tiers-Etat* founded, in a great measure, their claim of the states meeting and deliberating in common. Of the same sort, was their reasoning upon the adjournment made, on the day of opening the states, by the keeper of the seals. They were adjourned in common, and ought to meet again in common. These official formalities were mixed with the doctrines, and covered and carried on the plans of iniquity. A ministerial note, or the casual expression of a courtier, were (when it served the purposes of these leaders and destroyers of the people) a sacred and decisive law to the representatives of the French nation; what was to fix their constitutional existence and ascertain their establishment and powers. It was on the same ground, that for several days the *Tiers-Etat* only came into their hall, to walk out of it again. They came to look for their brethren of the other orders; and could not find them. At last they became tired of this; when it had answered their purposes. They at length discovered that the other orders met in adjoining rooms; and having made this notable discovery, they sent to demand their presence. They had nearly the half of the clergy connected with them in their views from the very beginning. They soon got the whole. The nobility followed. The *Tiers-Etat* lost its name upon acquiring its power. It was no longer a part, but the whole nation. And in reaching this

this eminence; it did not scruple any means; even those fooleries so inconsistent with its philosophical pretensions. The power which the means gave could at any time destroy the means.

It is evidently seen that I do not enter into the detail of these circumstances. I am exceedingly sorry for it; but I cannot help it. It would be very long and very useful. The *Tiers-Etat* did not proceed to the verification of their powers till Friday the twelfth of June, under the name of the Assembly of the Deputies of the *Commons* of France. They called over the names of the Deputies of all the orders. The verification being completed, five motions were read at the sitting of the seventeenth of June, regarding the way in which they should constitute themselves into a representative body, and the name they ought to assume. It was determined to assume the name of *National Assembly*, as being composed (it was said) of the only representatives legally and publicly verified and known; (this reason of formality and ceremony being still placed foremost) and as being besides composed of members directly sent by the great majority of the nation. On this basis of philosophy and etiquette, of democracy and despotism, their constitution rested*.

In
* In this very hurried sketch, I may mention here the chief authorities on which all my facts are placed. They are either authenticity itself; being the *proces-verbaux* of the Assembly; or they are (as *ad homines*, and to mention them only)

In the chamber of the nobles, the Counts de Clermont-Tonnerre and Lally Tolendal, were at the head of a very respectable minority, who were clearly for a consolidation of the orders into one assembly, according to the avowed principles of the *Tiers-Etat*. This minority quitted their own body, to join the now named National Assembly, on Thursday the 25th of June. There had been partial defections before. The Count de Clermont-Tonnerre made a short speech to the President: A longer one was made by the Marquis de Sillery. Among other things Sillery said; "let us never lose sight of the reverence which we owe to the best of Kings, so worthy by his personal virtues of being eternally beloved by his people. He calls us his children: Ah! doubtless we ought all to consider ourselves as an united family, having different departments in our father's house. He offers us peace: let us accept it without hesitating; and let him not behold the olive branch that he holds out to us, decay and wither in his hand." These were the words of Sillery, delivered in the presence, and probably by the order, of his friend the Duke of Orleans,

only) more authentic than authenticity; being the democratic publications. Such are, among others, the *Courier de Provence*; the *Revolutions de Paris*, the great authority of Mr. Paine, and to which he refers his readers; and *l'histoire de la Revolution de 1789*, quoted both by Paine, and by my friend Mr. Mackintosh.

Orleans, who was among the minority that joined the National Assembly on this day. It was in allusion to him, that Mr. Bailly, in his return to the speech of the Count de Clermont-Tonnerre, expressed the joy of the Assembly in being joined by an illustrious prince, and so important and respectable a part of the French nobility. It is a cruel consideration, that there were good and respectable men in this number, who now devoted themselves to exile and slaughter, by this memorable surrender of themselves and all their power.

It was only two days after, on the 27th of June, that the whole nobility of France submitted to their conquerors. The Duke of Luxembourg thus addressed them:—"The order of the nobles has determined this morning to take their seats in this National hall, to give to the King demonstrations of their respect, and to the nation proofs of their patriotism." Mr. Bailly in his answer, among other things said, "that this day would be celebrated in their annals. It renders the family complete. It puts an end forever to all divisions. It accomplishes the desire of the King. The National Assembly has now no other occupation, than the regeneration of the kingdom and the public felicity." It was thus Bailly spoke of his country, so soon to be rendered by his measures, and the measures of his fellows, desolate and sterile as his own moon. The process-verbal of this day makes mention of the hall
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having resounded with repeated acclamations of, *long live the King!*

On this same day, the remains of the clergy, who had not yet joined themselves with the majority of their body, came to unite themselves with the Assembly. The Cardinal de la Rochefoucault was at their head. "We are conducted hither," (he said,) "by our love and respect for the King, "our desire of peace, and our zeal for the public "good." The great body of the clergy (there had been many antecedent desertions) had some days before united themselves with the commons, having the Archbishop of Vienne as their leader. The way had originally been pointed out by three curates; who were received as in a triumph. There was now no power in France, but that of the people; and it remained to be seen how this power was to be employed. The chronology of names is a silly thing. The democracy was established from this hour.

These last remains of the clergy and nobility, who came thus to unite themselves with this self-created Assembly, cannot be much censured; at least as things now were. Their separate existence was greater weakness than even the feebleness of their union. Concession was now necessary; or the very excess of boldness. This last was undoubtedly the measure of wisdom; could men see futurity. It would have been great happiness to France, to have then incurred the miseries of a civil

civil war. The spirit of the country was not then wholly broken under the domination of the Parisian republic. But to have counselled this, would have required men and means; of which there were none in France: none, I mean, in sufficient numbers or sufficient efficacy and readiness. Had there been such men and means, nothing would have happened that has happened; the troubles might have been none; or few and short; and happiness might not only have soon succeeded, but grown from calamity.

In this great contention, the King and his minister leaned much to the side of the *Tiers-Etat*. What has been inserted already from authenticated documents sufficiently shews this. Even in the *Seance Royale* of the twenty-third of June, (that act of despotism, as ignorance or wickedness has misrepresented it) the King expressed the same sentiments. I shall say a few words of this *Seance Royale*.

It has been seen already how the King was led on step by step, to a criminal abandonment of all his power. It was thought however, (and perhaps he thought himself) that while the name remained the thing remained also. No sort of exertion had for a long time been made, that could detect imbecility by consciousness. The royal authority was now called into act and found to be impotent.

The measure was injudicious in all its circumstances; and the substantial disability increased
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their evil. The popular leaders seized the time; made circumstances of error additions of strength to themselves; and found evil where there was none. On the one side was force and art; on the other simplicity and weakness.

At nine in the morning on Saturday the 20th of June, the President of the National Assembly, (as the *Dean of the Tiers-Etat*, Mr. Bailly, was now called) with his two Secretaries, coming to the door of their hall, found it guarded by soldiers. The President inquires for the commanding officer; who informs him that he had orders to prevent any meeting being held in the hall, on account of the preparations making in it for the royal sitting.

The President had no need for this information. He knew the whole matter before; though it was necessary for his purposes to act as if he did not know it. He had received two letters of official notice that very morning, in which the shutting up of the hall in which the Assembly met was mentioned, and also the reasons of it. He had himself sent an answer to the first letter, in which he said, that having *received no order from the King* with regard to the royal sitting, or for the suspension of the meetings of the Assembly, it was his duty to attend the Assembly at the usual hour. To remove this difficulty the second official letter was sent, assuring the President, that the prohibition was by the express orders of the King.

King. Both letters were conceived in terms of great respect. Much anxiety was expressed for preserving safe, in the mean time, all the papers belonging to the Assembly ; and a request was made to the President to mention the names of the Secretaries (who were, at that time, Camus and Pison du Galand) that they might have free access at all times, while for a day or two the repairs making by the workmen would prevent any meetings from being held. The President did not think proper to return any answer to the second letter ; though it contained that authority to which, from his answer to the first, it appeared that he was ready to submit. It was after all this had passed, that he and his Secretaries went to act the farce at the Assembly door, which was to be the prelude to the bloody scenes that soon followed in France.

The Count de Vassan, who was the commanding officer of the party stationed for protecting the hall, treated the President with high respect. He told him, and those who accompanied him, that the officers of the Assembly had permission to enter. The President and Secretaries came into the hall. They saw a great many of the benches had been removed, and the preparations that were going on. At the outer gate likewise, and all around, bills were stuck up, mentioning that the King was to hold a royal sitting at the states general, on Monday the 22d, and that till then, the meetings
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of the Assemblies of the orders should be suspended. It was by placards of this kind, that after the opening of the states, their meetings and the place of meeting, were fixed for the sixth of May, and in the halls which they had till now occupied. It was upon such placards as of binding authority, that the *Tiers-Etat* claimed that the whole orders should assemble in *their* hall. It was natural to think that what was held a sufficient notification for meeting together, should be a sufficient notification of temporary discontinuance of meeting. On every side that it is viewed, there was no cause of complaint but to those that sought for cause. It was an error on the part of government, in the situation of things, to give any opening to the search.

I might mention further, that public proclamation was also made by heralds at arms, both of the sitting to be held, and of the suspension of the meetings. It was a very remarkable thing, that though this was before the union of the orders into one Assembly, yet Mr. Bailly, in his answer to the first official notification, says that he has received no order from the king as to the *suspension of the assemblies*: thus constituting himself the president of the whole. They are the words of the proces-verbal. It was in the same spirit, that after the fatal union, the Dean of the third estate was held the President of all the orders in their new assembly.

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The President and two Secretaries having come out of the hall, went immediately to a tennis-court; to which the other members also successively repaired. And here they swore the celebrated oath never to separate, "till the constitution of the kingdom should be established and fixed forever on solid foundations." Their next meeting was appointed for the following Monday.

The proces-verbal does not mention who proposed and framed this oath. The Leyden Gazette gives it to Mr. Target. The real author was Mr. Mounier. He and the Count de Lally Tolendal were at that time very actively and most honourably engaged in their own and in the kingdom's destruction. Yet had there been many such men in France, how great would have been the felicity of that people! The dreadful situation of France was, and her awful warning to the nations is, that honesty and rash wisdom were the levers of wickedness to move the earth from its place of rest, and unsettle the order of the universe! I trust that her recovery is not yet wholly hopeless; and that she is not from her present hell to preach this eternal warning to the world!

The members of the *Tiers-Etat* again assembled at the door of their hall on Monday. An official notification from the King himself had been conveyed to the President, on the evening before, by the proper officer, informing him that the royal sitting would not take place till ten

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o'clock

o'clock on Tuesday morning, and that, till then, the hall could not be open for the meetings of the Assembly. But the spirit of the populace was to be yet more raised; and no regard was therefore paid to the notification. The *Parisians* had been informed of the events of Saturday, and they were assembled in crowds at Versailles early on the morning of Monday. The heralds again made proclamation as before; and were again unheeded. The deputies of the commons began to appear, and surrounded by crowds of populace went first to their hall; then, the mob still increasing, to their tennis-court, which they found occupied before-hand by men and women of various descriptions, so as to be wholly inaccessible; from thence they betook themselves to a church belonging to a religious order, but neither could they there find entrance; so that they now set their faces, as seemingly resolved to make their passage good into their own hall of the states, and directed their course again to that quarter. All Versailles, with its *Parisian* accompaniments, was at their heels. Most luckily for the exhibition, it was a very rainy day. It added to the calamity and indignation. At last it was thought proper to put an end to this procession of insurrection. The *Parisian* ambassadors had seen enough to carry back to the *Sovereign People* in the Palais Royal. The deputies at last assembled
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in the parish church of St. Louis ; which was filled with about five thousand spectators.

In this church, Mr. Bailly and all except the *procession-members*, had been assembled long before. Indeed it was the place previously appointed for the grand union between the clergy (the majority of the clergy ; so declared on the 19th) and the *National Assembly* of the *Tiers-Etat*. It is a wonderful thing to hear the Count de Mirabeau on this subject. In his " letters to his Constituents," he says, that the representatives of the nation (the *tiers-etat*) met in the church of St. Louis, where the majority of the clergy at last united themselves with the National Assembly : while the holiness of the place contributed to render the union still more solemn and august. It would be difficult (he continues) to describe the sensations of those who witnessed this scene. It seemed as if religion mingled with patriotism heightened the whole and made it more affecting. Ah ! (he still says) how not be moved at the sight of worthy prelates, venerable pastors, shewing themselves truly the ministers of the God of peace, and swearing, at the foot of his altars, an alliance full of holiness and full of patriotism ! Thus this temporary asylum, pointed out by the finger of chance, has become the temple of concord ; and has made us for a moment forget, that a general union was still wanting to the happiness and wishes of the nation ! This was the written language of the athe-

ist and debauched Mirabeau ; the cruel enemy of the clergy, and the great destroyer of the Christian religion in France. It was thus these men (some of them evil men) threw themselves headlong on perdition ! It was thus, by this terribly farcical solemnity, these unheard of tragi-comic scenes, that many good men throughout Europe have been (perhaps some still are) so miserably deceived !

The Archbishop of Vienne was at the head of the clergy, who joined themselves to the new assembly this day. The names of the whole majority are to be found in the proces-verbal. The clergy had met in the choir of the church, while the commons were assembled in the body. When every thing was ready for it, and the union at last took place, the church rung with acclamations. Mr. Bailly and the Archbishop each made speeches, full of expressions about peace and fraternal love ; and the meeting was adjourned till the morrow.

On that day was held the *Seance Royale*. All the three orders met (as on the first day of opening the states) in the hall of the *tiers-etat* ; now termed *la salle nationale*. The King observed that the states general had now been assembled for nearly two months, and yet had not agreed among themselves, even as to the preliminaries of their operations. He wished to believe, he loved to think, that Frenchmen were not changed. He attributed those fatal divisions, which kept them in total inaction, not to their dispositions or conduct, but to

to the circumstances of the times. As the common father of his subjects, as the defender of the laws of his kingdom, he had now assembled the states a second time around him; yet while he was eager to preserve the true spirit of the laws, and to repress all attacks that might be made on their authority, and while the respective rights of the different orders were not to be without reason overthrown, he still expected from the patriotism of the two first orders, from their attachment to his person, and from their knowledge of the urgent evils that pressed upon the state, that they themselves would be the most desirous of forming that union of deliberation and sentiment, which was necessary in the existing circumstances to the safety of the kingdom. This was the tenor of the first speech made by the King on that day.

He also made a declaration concerning the present meeting of the states general, consisting of fifteen articles. This, with all the other documents regarding the *royal session*, is to be found in that day's proces-verbal. By this declaration the King expressed his pleasure, that the antient distinction of the three orders should be preserved entire, as essentially connected with the constitution of the kingdom, but that, with the approbation of the Sovereign, they might deliberate in common, and with this character and powers were to be alone considered as the representatives of the nation. It was a necessary consequence of this, that the reso-

lutions taken by the *Tiers-Etat*, on the 17th, by which they erected themselves, under the name of National Assembly, into the sole representatives of the people, should be declared null, as contrary to the law and the constitution.

The *cabiers* or instructions given to the members by their electors (a thing which also takes place in the General Assembly of the church of Scotland) enjoined them in some cases, to vote only *by head*, while others enjoined their deputies to vote only *by orders*. It was a question, whether the *cabiers* were to be considered as imperative mandates, or as simple instructions, left to the conscience and judgment of the deputies themselves. It was declared by the King, that they were to be considered in this last view only. This was also the doctrine of the high democracy; and it became a great engine of their after power. The King meant to take away all obstacles to the union, while he preserved the existence, of the orders. The democracy having seized the national power, wished to exercise it (as they have done ever since) without the real national controul. It was an ill judged declaration on the part of the King; although indeed the same consequences would have followed, whether he had made the declaration or not. It is a very intricate discussion, what force was to be given to the *cabiers* or mandates. In the circumstances, it was greatly different from the common question of representatives being bound

bound by the opinion of their constituents, where there is a settled order of constitution and government, and where the representative Assembly does not meet for the avowed purpose of change and new establishment. Certainly neither in France, would I have bound up and manacled legislative discretion. Without that, it was better their Assembly should not sit: But the authority of the *cabiers* was great and strong.

The last article of this declaration (of which the great scope was the union of the orders in one body) regarded a matter, that had become even at that time of much necessity. The King stated, that good order, decency, and the freedom of suffrage itself, required that he should prohibit any persons, besides the members of the three orders, from assisting at their deliberations, whether in separate meetings, or meetings held in common. Even already the mob of Versailles and Paris had assumed that sovereignty, in the name of the nation, which held in subjection the equally false popular authority, assumed by this National Assembly in the same name. The members were already openly hooted and applauded, as if they had been players on a stage. Indeed the meanest player before the most rascally audience was in a situation much superior to these representatives of the French nation. It is only during the time of acting, that by the necessity and nature of the thing, the one person is subject to censure by the

same law on which he receives applause. He is liable to the first from ill nature, as he may obtain the last from folly. The poor French lawgiver felt or dreaded the lash of his master at all times; and he needed to make the repeated experiment of the Eastern vizier to be satisfied that his head was on his shoulders.

After this declaration the King pronounced another speech, as a preface to another declaration, under the name of *declaration of the intentions of the King*. It was not (he said) to confine their zeal within the circle he was about to trace; for he would willingly adopt whatever should be proposed by the states general. He might truly say (the speech continued) that no King had ever done more for any nation; and what nation was more deserving than the nation of France! At the same time he was not afraid to declare that those, who by extravagant pretensions, or by formal difficulties, should delay the accomplishment of his paternal wishes, would render themselves unworthy of the name of Frenchmen.

The declaration of the King's intentions, was arranged under thirty-five articles. The very first article bore, that the right of taxation belonged wholly to the people. In the same manner, the King declared, that he would sanction the renunciation of their pecuniary privileges made by the nobles and clergy. It was even to be placed within the power of the states, to determine what circum-

stances should confer and transmit nobility. With regard to personal liberty, and to secure it to the citizens in a way that should be solid and durable, he requested the states to consider and propose the most suitable means for the *abolition* of *lettres de cachet*, and for securing at the same time the public safety, the honour of families, and the repressing of sedition and criminal correspondence with foreign powers. The administration of justice ; the abolition of many oppressive services and usages ; and other reforms of immediate necessity or evident advantage ; were not merely alluded to in general, but stated in detail. The only things that carried with them the idea of restriction or limitation, were the classing of certain feudal rights under subjects of property, when inculcating the respect due to property of all sorts ; and the concluding article of the whole declaration, in which his Majesty expressed his resolution to preserve entire and undiminished his authority over his army, such as the French monarchs had ever enjoyed.

After the reading of this declaration was finished, the King again, and for the last time, addressed the states. Having now heard the result of his dispositions and wishes, conform to his earnest desire of working out the public welfare, should they, by some fatality which he drove far from his mind, abandon him in this glorious enterprise, he would himself and alone consummate his people's happiness ; and knowing the instructions which the people

ple had given, the perfect union that existed between the general desire of his subjects, and his own beneficent views, he would, in all the confidence that such a harmony inspired, proceed to the completion, with firmness and courage, of the nations wishes and his own. He put them in mind that none of their schemes or arrangements could have the force of law, but by his special approbation ; that as the guarantee of their respective rights, all the orders might rely on his equitable impartiality ; that distrust on their part was to him great injustice ; that it was himself hitherto who had done every thing for the good of his people ; while the example, perhaps, was rare of its being the only ambition of a Sovereign, that his subjects should at last agree among themselves, in order to receive the benefits he had prepared for them.

The King concluded the fitting in these words : —“ I ordain you, Gentlemen, to separate immediately, and to meet again to-morrow morning, each in the chambers allotted to your order, there to resume your sittings. And I desire the Grand Master of the ceremonies for this purpose to get the halls put in order.”

Such was this *seance royale* ; which Mr. Paine has called *a bed of justice*. If any body shall think it worth his while, he may read on this subject the first part of *Rights of Man*, from the middle of page 110 to some lines down in page 112. Perhaps

haps it may be necessary for me to mention that it is this subject of which he speaks ; if indeed he can be said to speak of it, or of any thing. There are falsehoods in what he says ; but the falsehoods are the most pardonable part of the matter.

No sort of question can be made on the King's right to do all he did at this royal sitting, and to do more. If the King's authority had been held competent to fix the proportional number of the representatives of the three orders, and if the King's authority had so fixed their number, how should it not be competent, in any case, and much more in the disagreement of the orders among themselves, that the same authority should provisionally regulate, (and for this meeting of the states) the manner of holding the assembly, and of the states sitting separately or in an union of their orders. This matter should have been fixed by the King at the same time when he settled the other important subject ; and had it been done then, there would not have been a finger moved against it in all France. Such was the King's right, relatively to what he had otherwise exercised as his right, and what had otherwise been acknowledged as his right, and exclusively of all others as his right.

But the real fact is (and in the matter absolutely taken) that the King in this last case had much more right ; or (speaking as accuracy and truth require me to speak) he had a clear right in this last case, and no right in the other. By doubling the
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the representation of the *Tiers-Etat*, the King altered the constitution of the state ; which the King had no right to do. By interposing the royal authority, to settle disputed points as to the manner of holding the states, and to prevent any one order from assuming the whole legislative power, the King preserved the constitution of the state ; which the King had not only a right, but was bound, to do. Indeed, without the King's possessing this provisional authority (and not considering its other grounds), there could be no such thing as an assembly of the states. The King might leave the question of sitting separately or together to be decided by themselves ; to acquiesce in their decision if they decided wisely. If they did not decide at all (not chusing to decide or disagreeing in the decision) it behoved him to decide for them, from the very necessity of the thing. If they decided unwisely, it was his right and duty (he might want the power, and this was the danger of delaying decision) to bring them back to what the constitution had declared. Otherwise the states were the only power in France. Otherwise the states were a self-originated power. Otherwise the states were no power at all ; were a body with as little authority as any other body or individual in the kingdom. There were and could be no states independent of the constitution of the kingdom, but on a principle which made them not to be states. Where the states were not competent

petent from situation or from law, the King was competent. In Britain the King, as guardian of the constitution, can *dissolve* his states. Surely in France he could *provisionally regulate* what the states could not regulate themselves.

The right was certain ; its exercise was wrong, because it was impotent. The *tiers-etat*, that is the men who led the *tiers-etat*, were the Sovereigns of France. The King should have known that he had resigned his crown, and that it was not by holding a royal sitting that he was to regain it. Had it not been for this inefficacy, the exercise was not only rightful but indispensable. So much is there in times and seasons.

The arguments of the *Tiers Etat* (now as at the beginning) were as full of chicane as their conduct was of wrong and violence. Give us (they had said originally) a representation equal to the two other orders ; and they got it. We are the majority of the states (they exclaimed when they had met, and when one or two curates had joined them ;) and who will dare to resist what the majority of the states have willed ? It is to be observed too, that this majority of the states (before the union of the orders) might only be a majority of the *tiers-etat* ; so that they might exercise the powers of a majority with a majority against them. Such were the effects of the double representation ; and such was the bar logic now to become the legislative reason of France !

Mirabeau

Mirabeau has recorded a singular piece of *chicane* in creating the majority of the clergy. The pettyfogging metaphysics were among them also. Mirabeau (you may be sure, Gentlemen) does not call it *chicane* ; and even his strong mind approves in narration what it had performed in action. There were 137 votes against the verification of powers in common, and 129, for it, in the Assembly of the clergy. There were nine members who could be counted on neither side, and who, with certain restrictions, would agree to the common verification. Join us ; said the 129 to these members. That is impossible ; the nine members replied ; our opinions differ from yours wholly. Then *we* join with *you*, cried the 129 ; and we are thus the majority. The reservations (they knew) were not of the value of a straw, when the common verification once began. And this was the majority, that on the rainy day joined the *tiers-etat* in the church of St. Louis.

As to the King's right (even in my present rapidity of conclusion) I ought also to mention, that in the letters issued by the crown for calling together the states, the reason of assembling them at Versailles was expressly stated to be (and reserving the right, now exercised) that by meeting near the residence of the King, as had been the case in the times of his royal ancestors, he might, without in any way infringing on the liberty of their deliberations, yet preserve that character most
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dear to his heart, that of *their counsellor and friend*, Alas ! the King did not then know that it was to be the Assembly of his cruel enemies ! That the principal leaders in it were to be the very men, who should sit in judgment on him, and decree his murder !

When Petion succeeded Alexandre de Lameth as President of this first National Assembly, Lameth declared in his speech, printed by the Assembly's orders (5th December 1790,) that the choice of his successor excited sensations of gratitude which overpowered even those he felt for the honour conferred upon himself ; while the colleague their votes had given him was equally fitted to reflect lustre on his predecessor, and do service to his country. These were not words of course. Many of the presidents did not praise one another ; and many of them praised coldly. Petion was a President of the Assembly before Mirabeau could obtain that dignity.

There were two discourses of Petion and of Robespierre on the affairs of Avignon, which were printed by order of this first National Assembly. It is only because language has not words, that names of greater atrocity cannot be given to the principles they contain, and the actions they justify, than to the (—language wants words also here—to the) days of August and September !

These are most awful considerations ; and it was my bounden duty to state them. Perhaps I
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may one day write the whole history. In the mean time; and to come where we were.

I must mention also, on this subject of right, what was said by the Count de Mirabeau. He had sat and voted in the Assembly of the *Provençal noblesse*, before the examination and judgment of his titles; and, in a minority of that body, he entered his protest against their resolutions of voting not by heads but by orders. This was on the 21st of January; about five months before the time of which I now speak.

He stated several objections to their resolutions. Among others he stated it to be contrary to the constitutional law of the land, to fix any thing which should take away the *provisional power of the King*. "Can any one doubt" (he said,) "that the King is the natural convoker, the necessary president, the provisional legislator, of the general states? It is an eternal truth, that the National Assembly can itself alone regularly organize itself; but it cannot organize itself before it be an Assembly. Some one therefore must assemble it, must provisionally compose it. But the provisional power is with him that is in possession. This is demonstrated by natural law: This is demonstrated by positive law. It is rarely that these laws meet; but when they meet they are invincible. You offend against both by your resolutions. You fail in your duty to

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" the King; and you violate the laws of man.
 " Will this be done by the nobility of France?"

It was this same Mirabeau, who now declared that he would not obey the orders of his King; *this provisional legislator, this necessary President*; unless forced by the point of the bayonet; of which besides he knew well there was no danger. It was in this same piece that Mirabeau called the nobility, the *corps d'élite* of the nation; said that if ever they lost their ascendancy over the people, it must be by their own fault; and that no dissensions could long exist among them and the commons of France.

This injudicious act of the government (besides being thus a matter of such evident right) would, had it been an act of power, have been an act of the highest wisdom. The *tiers-etat* were overthrowing the constitution, and committing manifest treason against the monarchy. In *England*, capital punishment would have been delayed no longer against the ringleaders, than after proof and judgment of guilt. The King of France only came to his rebellious states as their *counsellor and friend*. He had no other power remaining; and this power was hooted at.

Those who held principles in opposition to these rebellious claims were now (all former services being forgotten) openly demanded as sacrifices to appease the populace. In the preceding November, M. d'Espremenil, after his imprisonment

in what was then thought the nation's cause, had returned, from prison and banishment, to Paris. On the re-establishment of the parliament, of which he was so distinguished a member, mass was celebrated by the Bishop of Troyes. Even during the performance of this solemn and awful act of religion, the people could not be restrained from applauding M. d'Espremenil, as if it had been in a theatre. Now (about six months afterwards) it was publicly proposed in the *palais royal*, by the orators of the Sovereign People, to burn his house, and to cut the throats of his wife and children. He resisted the claims of the *tiers-etat*. He (it was not the courtiers) called them treason.

The consequences of this *seance royale* were resolutions and acts more violent on the part of the Assembly, than any that had gone before them. If government had any means of resistance, it did not employ these means. The whole orders (as has been already told) came, almost immediately after it, to form one assembly. What strength could a government retain, which seemed of set purpose to expose its weakness!

Among other inducements to the union of the orders, it was thought that it might save the life of the King, then, even with all the public professions of loyalty, thought to be openly in danger. Alas! they consulted ill for the safety of his life, who did not consult for the preservation of his dignity and power! It was then that M. de Cazales,

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a name that cannot be pronounced without an inspiration of heroism, which will live as long as human existence, and be as widely known as human habitation; it was then, that this champion of France and freedom declared, that the constitution of the monarchy was to be preferred to the monarch. What was the monarch if the monarchy was gone! Could a King without power be long preserved alive (even as an object of derision) among a revolted people! The union (as things now stood) could be justified, I have already said; but not thus justified. Perhaps it could not be justified at all. Why should I, or what title have I, to give an opinion? M. Cazales, and those who thought with him, were against it in all points.

The Assembly, with all their great power, continued to display all their official littleness. The day after the royal sitting, they discovered, upon a search made for the purpose, that there were some soldiers about the avenues to the place of meeting, stationed there to keep the mob from assisting at the debates, according to what the King had signified in one of his speeches. As they had paid no regard to the King's adjournment, but had continued sitting and decreeing the day before; this notification to exclude the mob could not be expected to meet with much more reverence. But the Assembly went farther than mere disobedience. They durst not deny admission to their masters; and they were besides of considerable use in for-

warding their designs. A remonstrance was decreed to the King, claiming the right of police as to their own place of meeting; and this right was employed to re-admit the mob. More was done a great deal still. This legislative complaint against a few foldiers placed as constables around their hall, enabled the orators of Paris to represent the Assembly as surrounded with military ruffians hired to cut their throats.

I am far from denying that its own police belonged to the assembly. I am far from denying that mere and seemingly trivial forms, are often of the most material importance. Rousseau has said in his *Lettres écrites de la montagne*, and when explaining and defending his social contract;—"in doubtful matters, stop every novelty, small or great. If the syndics were in use to enter the council-room with their right foot, suffer them not, if they demand it, to enter with their left." Rousseau spoke most wisely; and would that his disciples learned and practised the lesson thus taught them by their master! But it was in the very violation of the most essential forms, of the most essential principles, that the Assembly's claims of ceremony were made, to forward their plans of destruction.

I do not examine the King's right to send the foldiers. The Assembly certainly needed protection. The union of form and sense and honesty (political wisdom itself) would have been, to decree that the police was theirs, and then to apply for the means of securing it. But they had no such

such things in their mind. Every measure and every thought was only of rebellion and ruin.

Such was the establishment, the creation, of this first, this constituting Assembly; this plain, this tyrannical, usurpation upon all the rights of the people and the throne; this domination of the leaders of the third order, which with some change of persons, and narrowing more and more, and the more that it narrowed becoming also the viler, has been ever since the only power in France. How would our compassion, our horror, and our fears, be raised in viewing the steps of this progress! No person can judge of its hideousness from what I have said. You must go to the documents yourselves, Gentlemen.

The King had now for a long time past received the daily incense of the new republican adulation. He had besides the sincere promises of his minister, that he should be the happiest and most glorious prince in Christendom. The adulation still continued; while the hopes were ever flying before him. Yet it now began to be offered not so unmixed as formerly, and democratical insolence was now very clearly perceived in the very acts of democratical submission and hypocrisy. After the establishment of the usurpation, the adulation became plain insult.

A singular occasion of displaying the new system that was to rule over mankind, removing the old morality as well as the old government, was

taken some time before this. It was among the first things Mr. Bailly had to do, when he was chosen to succeed M. d'Ailly, with the name and in the office of Dean of the *Tiers-Etat*.

The King of France, whose sensibility and affection for his children was so well known, saw his eldest son the Dauphin (who at last expired on the morning of the fourth of June) approaching after the long and painful struggles of disease to an early (and as it has happened, not an unfortunate) grave. The day before his death, a letter from his father informed the chamber of the third order, that a deputation from them which was to be received as of that day must be delayed, as his child seemed to be near the agonies of dissolution. This delay the chamber thought it did not suit its dignity to grant. Many speeches were made on the occasion. There were some of them very violent. The most moderate of them proceeded on sentiments of this sort. " Instead of the melancholy condition of the Dauphin" (they said) " separating us from the King, it is the strongest motive of our intercourse with him. Who better than *the nation* can console a good and generous prince ! It is in the midst of his people that he ought to place himself in these moments of grief and affliction." Upon the rising of the Assembly accordingly, Mr. Bailly went with his deputation, upon the business of verifying the powers ; and by stating the seditious deliberations
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and treasonable demands of his order on this subject, to console the father for the death of his child;

Their benevolent intentions in this consolatory deputation, were in some measure disappointed. The King had gone to Meudon. Mr. Bailly's instructions were positive, and durst not be disobeyed. He and the deputation waited. The King returned in the evening, about half after nine; having taken the last look of his son, who died a few hours afterwards. He had quitted his bedside in an agony of grief, and on his arrival at Versailles gave orders that he should be seen by nobody. He shut himself up in his room; but it was now no sanctuary for affliction. He was told that the deputation were waiting. The exclamation of his bursting heart was—*Are there then no fathers in this tiers-etat!* He was soon to experience in his own person, that they had nothing remaining of human feeling.

The card has been preserved that the King wrote on this occasion, and by which Mr. Bailly was prevailed on to retire. It was in these words: —“ It is impossible for me in the situation in which
“ I am at present to see Mr. Bailly this evening
“ or to morrow morning, or to fix a day for receiving the deputation of the *tiers-etat*. Shew
“ this card to Mr. Bailly as his and my apology.” The card was addressed to the keeper of the seals. Mr. Bailly produced it as his justification next morning, to the chamber of his order. The de-

putation was received by the King two days afterwards.

This was the first great beginning of the new morality. It reached its full growth almost in its first exertion. The sacred character of the father of a family was violated in the person of their King. The attachments of royalty and the family affections fell together. The conduct of the third order was by its applauders at the time called "truly civic." This new name alone befitted it. The terms hitherto used among mankind, had no power to denote such actions. From this time onward the King's life was a life of disgrace and insult. Their civism outraged a father's sorrows; it outraged feelings perhaps stronger than those of a father. The husband (and that husband a King) saw his wife insulted, and could not protect her; saw his wife insulted, and could not hope to avenge her! It was the most maddening torture, the most degrading punishment, ever inflicted by human violence leagued with and prompted by hell. His public character which had originally been the means, soon became the object, of the same contempt and indignity. Not four months after the times of which I speak, he was made a prisoner with his family; brought out on public occasions as a public spectacle, to make sport on their festival days before the people and their lords. At last, their purposes being in this way served, and weary even of insult in the repetition, they changed

ed his open ignominy, after it had endured three wretched years, into solitary criminal confinement. Here for five months he was shut up from the intercourse of his family, and denied every human consolation ; while every infernal torment of the mind, that those spirits could teach whose punishment is said to consist in the practice, was inflicted by the human instruments of not human crimes. There was no deliverance ; no hope. The eye of religion could alone pierce through the darkness ; and perceive felicity beyond the grave. Their cruel mercies at last made him die. In his death they denied him the consolation of the robber and the murderer. He was surrounded in his assassination by ruffians and stabbers, whose face had never expressed, whose heart never felt compassion for human misery. At his fall they raised a hellish shout, and their faces gleamed with a savage joy. What power they still possessed, they still exerted. His lifeless corpse was an object of violation. And that nothing might remain of *him*, whom his very judges had once hailed and legislatively decreed the deliverer of France ; the last merciless counsels of his enemies were for the utter and speedy extinction of what nature had willed should more slowly perish. Their wickedness and vengeance went with him to his grave. When honour and freedom returned to France, they should seek in vain the turf that wrapped his clay !

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I have mentioned the beginnings of these things; and I go no farther. What remains is a history; and a long history. It is certainly my bounden duty (if I shall not see it otherwise performed) with proper leisure, and at proper length, to write this history. At present I stop; only first with the mere mention of certain prominent events, to which the references and allusions have formerly been so frequent, that it would be unpardonable to close my conference with you, Gentlemen, and not to speak of them.

While the revolutionists were employed, in the manner that has been stated at Versailles; neither themselves nor their agents were idle at Paris. It is exceedingly strange (and it has been remarked before me) that Mr. Necker should have assembled the states at Versailles, in the known fermentation and dispositions of the capital. You have seen it stated, Gentlemen, as a reason assigned by the King for assembling them there, that they might be near his residence; under his paternal inspection, and sovereign controul. These were claims made for the King even by Mirabeau. To those who knew the condition of Paris, it could not possibly be unknown (unless by the eye-sight being wholly lost in the blinding radiance of delusive reformation) that this city and not the King must have the controul; that this city must have (what the King neither had nor claimed) the mastery of the Assembly,

Assembly, and, through the Assembly, the mastery of the King and of the kingdom.

The great matter, and at which all the engines of democracy were at work, was to gain over the army. This had been completely effected in Paris many months before the Assembly met. The measures of the court, so far from counteracting the dangerous working of these machines, increased their force and pointed their direction. I do not speak of Mr. Necker here ; nor of the men in public office, denominated the administration ; but of the courtiers commonly so called ; and who had or exerted no wisdom to save themselves or their master. As if the mere name of soldier secured obedience and loyalty, no precautions were taken against the civic conspiracies of Paris. In these meetings the soldiers, some with the hopes of having no masters, and some of having better, were soon taught to forswear obedience to the King, and to vow allegiance to the nation. They were, at the times at which we are now arrived, prepared for any enterprise ; and to carry their principles into the execution of any thing.

No sooner also had the third order declared themselves the *National Assembly*, than deputations arrived from Paris, from known and from unknown bodies, congratulating them on their courage, their patriotism, and their success. In these deputations, or among those who signed the addresses which the deputations brought, were many of the leaders
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of this National convention ; indeed (and speaking literally) almost all of them, who were not already members of this constituting assembly. Such was the strength within doors and without. Besides these, addressees came in, as fast as they could be procured, from corporate bodies, or individual associations, in the provinces. No time was lost ; and no opportunity.

But it was necessary (besides the general rebellion which had long and knownly subsisted there) to do something decisive in the capital itself ; which should mark the power possessed, and should establish it. Some of the civic soldiers of the French guards, by an expiring effort of military discipline, had been committed to the prison of the Abbaye. On the evening of the 30th of June, a letter was read in the *Palais Royal* from one of these soldiers, in which his own case and that of his comrades (suffering it was said, in the cause of the people) was heavily bemoaned ; while they were to be committed (he said) to another and closer prison, if they should not be immediately rescued. The prison was attacked upon the instant ; the soldiers set free, carried in triumph by the people, and feasted publicly by their deliverers. A deputation was named to proceed to Versailles, to demand their pardon from the king, through the mediation of the Assembly.

The National Assembly (strange and incredible as this may appear in a legislative body, met to give a constitution to an empire !) deliberated up-

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on this demand, and sent a deputation of their own number to the King ; not for the purpose only of obtaining the pardon of the mutinous soldiers, but to state the demands of the rebellious people who had attacked the prison, and set them free. The King (such was the feebleness of his authority) durst not refuse what was thus demanded ; but in his answer to the Assembly, he took this occasion to state what the Assembly, from mere decency and absolute truth, and that they might not seem in their very commencement to be wholly mob themselves, had also stated, that the disorders in Paris were most alarming, the spirit of disobedience and rebellion most dangerous, and that measures of strength were indispensibly necessary to repress the commotions ; in which he trusted the royal authority would prove effectual with *their* concurrence and assistance. In the mean time, with the hopes of pardon held out to the soldiers, and while complete impunity was enjoyed by the lawless mob that had broken the prison, the King reserved their absolute acquittal, till more deliberation could be employed. It was not thought fitting to expose the miserable nakedness of his authority ; which it was imagined might be somewhat covered in this delay. The people would not, however, surrender their friends. They kept them for six days, visited by all the populace and soldiers of Paris ; inflaming themselves mutually and inflamed. At last, they went back to prison, upon the certainty of immediately coming

ming out again, and obtaining their pardon; while this insulting act of obedience was held out in Paris, and by the National Assembly, as a full atonement, and more than an atonement, for all that had gone before it; and as a proof which none could gainsay, that a more loyal people did not exist than his Majesty's faithful subjects of Paris. Oh! that I had but time to put it all down here! But let not any person, who reads this, forget, that these prisoners were returned to the Abbaye (for the purpose of proving that Paris was loyal and of coming out again) not till after the troops which the King had ordered to advance, were drawing near to the capital. Then, and by such means, these troops were to be represented as the *bordes* of a despot, that had come to overthrow the rising fabric of a free constitution; and to massacre an innocent, peaceful, and loyal people.

The troops had been employed, had been demanded before, by the revolutionists themselves; and in cases of much less emergency than the formidable rebellion that raged in Paris. I have been able to say nothing of Bretagne. The King sent into that province, a very short time before this, more regiments than were now called to Paris; and for the express purpose of supporting the *tiers-etat* in their claims against the nobility of the country. In the same manner, and for the same purposes (to support the *freedom of election* in favour of the *tiers-etat*) troops were sent to Nismes.

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Wherever there had been commotions, there had also been troops ; and these troops were on a service, they liked ; supporting, all, the new system. But when the King, using the little authority that still remained to him, took measures for opposing in some degree the open rebellion of his capital, it was then, that recourse to military power was held treason to the nation.

Not that I approve of what was now done by the court ; but it is because enough was not done. Here again, as in all the former cases, power was not called out till power was gone.

Neither do I approve of the change of administration, nor of the dismissal of Mr. Necker ; because no better nor firmer administration was put in their place ; because what hold had been kept of the people by employing popular men was lost ; because all the further evils of unpopularity were incurred ; and because new pretences were thus furnished to rebels for justifying what they had done, and for doing more. Mr. Necker, according to his own account, had not refused his services. He had thoughts of resigning at the time of the *seance royale* ; but he had altered his intentions. His remaining (unless he altogether should refuse his co-operation) might have given what vigour could be given to the measures now about to be adopted. Yet what could have been done ! All was feebleness around the throne. Even as to the pretences which were thus furnished to the revolutioners,

ters, if they had not found pretences, they would have made them; or they would have gone on without any pretences at all. Theirs was power; theirs was also and therefore success; and events (they well knew) were the justification of means in all such proceedings.

The revolutionists had no love for Necker. Not one of them. He was attacked openly from the very first meeting of the states. Mirabeau published a paper, which was immediately suppressed; two numbers only having been printed, under the title of *Etats-Generaux*. The suppression is mentioned and complained of loudly in his letters to his constituents, which came in the other's place. I have these two numbers by the favour of a friend. It is no wonder, that Necker issued the order of suppression, if he consulted only his indignation. It is surprising he should have done it, consulting his judgment; or should not have done more.

All the hypocritical lamentations on the dismissal of Mr. Necker, all the congratulations of the same stamp on his return, proceeded from the same spirit, had the same design, and produced the same effects, as the other means in this dreadful conspiracy against France and the human race.

At last on the fourteenth of July, the Parisians assumed in full form that barbarous sovereignty which has been since that time exercised in France. The history of that memorable day, and those which succeeded it, exceeds in atrocity whatever had

had been recorded in former times among men. Who would hold the balance of crimes, and weigh out iniquities and horrors ! Yet our minds must pronounce something on the objects they survey ; and when this is considered as the first great act of murder and blood, I know not whether it will not be thought to go beyond the days of August and September !

One circumstance is common to all these massacres, and to the dreadful times also of October 1789. Some plot was said to be hatching by the court against the nation in all of them. This has been said with regard to August and September ; and known by every body to be false. This was said as to July and October ; and by many (alas ! too many) believed to be true. The French monsters likewise in all these massacres were represented as having great tenderness and humanity. A murderer was represented as returning from carnage, besmeared with blood, to embrace his wife and fondle his children. The cry of assassination was—“ *They kill our brethren.*” These were the circumstances, and this was the cry, of August and September. They were the circumstances and the cry of the times before them. The public assassin gloried in the trophies he carried on his pike, and received the kiss of infamy for the deed of murder. The family relations were made the instruments of crimes. Infancy saw murder applauded in manhood ; and was sure to practise

what it heard praised. The mother sung songs of blood, while the father perpetrated deeds of blood ; and their offspring had long renounced humanity before they were men.

Much is now known about the taking of the Bastile ; and much still remains to be told. I cannot tell it here. It is now known to every body that scarce any prisoners were found in it ; and that those who were in it were such as should have been in it.

They were not the horrors of a single day ; and the bloodshed of the fourteenth was only the beginning of sorrows. The bloodshed was in every single instance without cause ; and the whole massacre continued as they were begun from fixed counsel and premeditation. Among the horrors of those days, I shall mention only (as having come under a sort of obligation to do it) those of Wednesday the 23d of July. My authority is the book to which Mr. Paine refers for the authenticity of his whole narration. Many more things should be stated ; but I shall say nothing which is not there. The author of this book at this time, was a person for whom afterwards, at his death, the members of the constituting assembly went into mourning.

An old man of the name of M. Foulon, a counsellor of state, was supposed to have been connected in some degree with the short-lived administration that succeeded to Mr. Necker. He had not been

been popular formerly ; and this circumstance rendered him more obnoxious still. Nothing however could be found as matter of charge against him in any of the late transactions ; but it was at last remembered, for the purposes of democratic vengeance, that under the administration of the Abbé Terray (the famous financier of Louis the Fifteenth) he had said, or been reported to say, that if the people would not be contented to eat bread at a certain price, they ought to have nothing but hay given them. From this it was inferred, that had he obtained power now, he would have reduced the people to this diet ; and his death was therefore decreed !

Warned of his danger the poor old man had fled ; concealing himself in a friend's house at a small distance from Paris. He was traced by their bloodhounds, and soon discovered and seized. He was conducted to Paris by the mob, who had loaded him with sacks of hay, an emblem of his accusation and of his punishment. Having led him to the *Hotel de ville*, where judges were to be immediately appointed for his trial, an immense crowd was in the mean time gathered around the *place de Greve*. It was continually increasing ; and in a short time they loudly demanded that Foulon should instantly be delivered over to them for execution. The *Electors* of Paris came to the multitude. They dared not to defend the innocent old man ; but they besought the people to allow

him to be fairly tried. They spoke to the winds. Then Mr. Bailly came. He was now from President of the National Assembly become Mayor of Paris. His eloquence and authority were employed equally in vain. In the mean time their victim heard the savage cries of his enemies ; those howlings of murder more dreadful than death. He was serene and calm. One of his guards said—“ You are not moved, Sir ; surely you are innocent.”—“ Guilt only,” he replied, “ can be disconcerted.” At five in the afternoon, the committee of the city election thought the people might be prevailed on (says the historian whom I copy) to allow him to be carried to the prison of the Abbaye. A detachment of the city militia was ordered for this purpose. M. de la Fayette now arrived. Even he durst not use authority ; Even in the beginnings of his inglorious generalship he knew and felt he had no power ; but besides using entreaties, he employed the artifice or the brutality of telling the people, that many secrets regarding the machinations of the court might be discovered by detaining Mr. Foulon prisoner instead of instantly murdering him ; thus feeding their savageness by the hopes of further victims, and giving truth to those horrid calumnies which were made the causes of crime. The old man (it was said) gave marks of satisfaction at the mention of being committed to the Abbaye. He will escape us ; cried the people ! In the presence of all their magistrates, of their
Mayor,

Mayor, of the General of the new forces of France, they raise a shout of fury, break through the guards, rush into the town-house, drag the old man to the *lanterne* which had already been the instrument of so many murders. The cord broke. Another was instantly found. His head was then severed from his body ; and fixed on a pike. It was carried in procession, with an handful of straw thrust into his mouth. His body was dragged through all the streets, and suffered every indignity. Bailly and La Fayette saw this scene of horror ; and continued to be called Mayor of Paris and General of the Parisian army.

The historian who records, applauds this deed. " His body dragged through the mud announced " to tyrants the terrible vengeance of a justly irritated people. There is doubtless a just God, " who wills that sooner or later the wicked shall " pay the forfeit of their crimes." Yes ! there is a just God ! There is ! notwithstanding the being once was on this earth, that thought, wrote, and published what is here ! Where is he now ! The Devils never so sinned ! Merciful God ! interpose and support me. What brain would not whirl !

The Intendant of Paris, M. Berthier was married to this old man's daughter. He also had been obliged to quit Paris ; though wholly guiltless of any act of oppression or wrong ; so much guiltless, that to stir the minds of the people, an accusation (at whose absurdity laughter in other circumstan-

ces could not have been restrained) was made against him, of having ordered the corn to be cut down when green! He was arrested at Compiègne. An *elector* of the city of Paris was sent to bring him thither. On the road he was frequently compelled to come out of the carriage, and shew himself to the people, who insulted him as he went along. When he entered Paris, the top of the carriage was taken off, that he might be fully exposed to the view of the mob; who loaded him with execrations and outrages. A numerous guard attended him, accompanied with military music; drums, colours, every thing that could mark a triumph. The procession was witnessed by all Paris; every door, window, and balcony was filled. Mr. Berthier still maintained the utmost serenity. Tranquillity (and the historian states it as a crime) was painted on his countenance. But the procession had advanced only a little way, when the mangled and bloody head of his father-in-law was presented to him, fixed on a pike. They had just come from his murder. After this infernal act, he was led to the tribunal; the seat of equity, the historian calls it, and the asylum of innocence so fatal to guilt. He answered with manliness the questions put to him. They had his papers, he said; and these papers never at any time afterwards disclosed any crime. Hethen mentioned that he had not for two days shut his eyes, and requested that he might be allowed some place for a little repose. Immediately

ately arose the shouts of death. The judges spoke of committing him prisoner to the Abbaye. He consented. Mr. Bailly again harangues the people. He tells them that the prisoner cannot be convicted but by new facts; and that the utmost which could be done was to imprison him for trial. This was most glaring injustice and oppression; and for which Mr. Bailly in a free government must have answered, in legal judgment, by his person and fortune. When he had done speaking, the people replied to him with their yells. The prisoner was led out. Thousands press around him, and in a moment he is dead. One of his murderers thrust in his hand, and tore out his palpitating heart. It was a civic soldier. This heart still warm and beating, was carried to the tribunal and presented to his judges. It was then fixed on the point of a dagger; while the body was dragged and dashed to pieces on the pavement, pierced through and through with pikes. At last, in a tavern, his flesh and heart, minced into morsels, was steeped in their wine, and greedily devoured. This happened in the *rue Saint-Honoré*. The historian bids all tyrants and ministers tremble at this dreadful punishment; and he desires the citizens to be comforted as by these means the rights of men would soon be established among them. He does say this; and he says more. God! how can I read it!

A nation where such things could be published and not condemned were no longer human beings. Naturally we inquire, how came they to record their own crimes, and by a hand of authority. The answer, and the only answer, is what I have just said.

Thus was the whole French people made familiar, from the very outset, with the most shocking.— There is no name. Every thing went from this moment in this train. Avignon and the Comtat ! What a scene of blood was there ! The fifth and sixth of October ! Mankind ought to be informed of these dreadful things in all their detail and enormity. I do not mention it to excite pity or indignation. These cannot be its consequences. Loathing and disgust ; or the convulsive laugh that dries up the source of tears and forbids the flush of indignation, can be the only consequence. But the women monsters (it is in recorded evidence which democracy dare not deny) who went from Paris to Versailles on those miserable days, swore to each other, *to tear out the Queen's heart and make National cockades of her bowels !*

I HERE say no more. I have not finished ; scarcely have I begun ; but I here break off my discourse with you, Gentlemen, on the affairs of France. Surely they afford an awful lesson ! I intended next to have shewn you your errors, by comparing your present conduct and principles with

with the conduct and principles of the great Whig party in this reign.

In the plan adopted by a certain class of men in this kingdom to govern by a court faction, wholly independent of the people, it became the necessary policy of the court to separate the House of Commons and the people from each other. The discontents and faction which disgraced the times, were propitious in a high degree to this fatal purpose. Real lovers of liberty, who did not comprehend the extent of court policy, were without much difficulty prevailed upon to counteract popular disturbance by senatorial exertion. They did not perceive that the House of Commons, if once led into the train of assuming any thing like the character of executive magistracy (as the Assembly of France has done in our days) from that moment destroyed its distinctively peculiar popular origin, and by departing from its real character would lose its real power. Those, however, of this description who were thus deceived were not many. But the phalanx of courtiers was strong; and as the people came every day more and more to distrust the House,—the House on its part paid less regard every day to the people. The influence of the crown sprung up and flourished under the protection of the representatives of the nation, and struck its roots deep in a soil which had hitherto been so adverse to its growth.

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In this situation of affairs the duty of a citizen was to be guided according to the circumstances in which he was placed. All truth is immutable and the same. Yet every season has its own peculiar truth, which requires more particularly to be inculcated and to be defended with greater zeal. This beautiful and important maxim of morality is well expressed by an inspired teacher. "Established in the PRESENT TRUTH." The truth, the great truth, for which the lovers of our constitution had to contend in those days, and during a great part of the present reign, was that a popular representative body, a body directly originating from, and framed for the purpose of acting on the behalf of the people, could not with any safety to our free government be converted into an instrument of the court, and be made a part of the standing force of government against those for whose protection, in the first instance, it had its original establishment. If this body assumed to itself great and undefined powers, (powers of a new and anomalous description) if it employed those powers under the direction of secret advisers of the crown, if it wholly laid aside its popular duties, and so totally forgot the nature and purposes of its institution, as to act for purposes and with principles wholly the reverse, then the great object and first duty of every citizen was to recall it from this state of alienation to its legitimate home, and to strip it of all that adventitious authority given for the sole end of destroying its native inherent and salutary powers.

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The policy of the Whigs, with all reverence for monarchy, such as they ever have displayed, with all devotion and affection to the law of parliament, which they have ever held to be not the least valuable part of the law of the land, with all due estimation of the dignity and privileges of the House of Commons, which they have ever maintained with firmness and zeal, with all love of order and just subordination, which they have ever manifested,—with all these considerations, and governed by all these principles, yet the policy of the Whigs, which has ever been firm to resist as it was wise to preserve, called upon them to oppose this defection of the representative from his constituent, and to promulgate and enforce the great and necessary truth, that a House of Commons so moulded as to become in its own nature inimical to the cause of the people, was of all others the most odious, because of all others the most unnatural and most formidable engine of courtly oppression.

It would be to write the history of Britain to consider in detail the transactions of this period. I shall give you the epitomé of what I meant to say.

The peace of Paris had scarcely restored external quiet to this country when a domestic war was commenced against Mr. Wilkes. As this war was of a meaner cast so was it conducted by meaner agents. Its event was such as it deserved. Success could not have gained glory, and it ended
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in defeat. Mr. Wilkes expelled by the House of Commons was repeatedly returned to them by his constituents, till at last Colonel Luttrell, by a constructive election, was seated in his stead. But the defeat was the worse for this seeming victory. The people canonized their martyr, and were ready almost to offer up (what to Englishmen has ever been so dear) even their loyalty at his shrine. The nostrils of the patriot however (if such ever were his wishes) were not regaled with this incense. The people stopped long before they reached the altar. Their zeal found another object.

Although this most unjust and still more impolitic persecution of Mr. Wilkes, was hatched in the recesses of the interior cabinet, and carried on almost in a spirit of fanaticism by the court party, daring to style themselves the King's friends, yet the House of Commons, whom they alarmed for its privileges, and of whose dignity they held themselves forth as the assertors, was the ostensible instrument of all. The people felt only its hand, and beheld only its exertions. In other respects too, government was not in great favour with the nation. A disgraceful peace was supposed to have sullied a glorious war. Scottish influence (there was ground for some complaint) was said to have overtopped all English claims of service. The House of Commons, by very decided and great majorities, were in the interest of the court. The question of Mr. Wilkes directly and immediately,
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and as far as the people could be supposed to see, was with that House, and that House only. It is not to be wondered that under all these impressions, the nation should begin to consider the House of Commons as their enemy, and treat it accordingly. Especially must this have happened, when the press teemed with libels calculated exactly for the meridian of the vulgar, and when the minds of men were ulcerated beyond all example of former times by ministerial inflictions.

This unconstitutional employment of the House of Commons by ministers (or, to speak more properly, by the masters of the ministry) which degraded it in the eyes and alienated from it the affections of the people, behoved to be resisted by all good men. It was resisted in particular by the Rockingham party. They were not, it is true, without allies; though out of their own connexion there was no *body* of systematic principle. After the scattering of Mr. Grenville's friends, they formed not only the governing portion (as they formerly had done) but almost the mass of opposition, down to the month of March 1782.

In opposing the unconstitutional conduct of the court, this party at the same time never lowered the dignity of the House of Commons. They avoided with a most religious care the lessening in the eyes of the public this most essential branch of the constitution. Nothing irreverent to its high functions ever escaped their lips. But the mean
functions

functions to which it had been degraded, were held up to merited contempt and indignation. Above all the rest, the plan of turning the House of Commons into a sort of office of execution, and of making it in the first instance a controul *against* the people, a new court of star chamber, where popular excesses were to be brought to trial, out of all the course of the law of the land, and usurping the jurisdiction of the settled tribunals, was deprecated by the Whigs as overturning the constitution of a free and mixed monarchy. Yet while they resisted these dangerous and ruinous innovations upon all the principles of the state, they held out the real functions of a British House of Commons, as the most dignified that could be intrusted to or exercised by any body of men, and abated in no one instance a single atom of its rights.

But while the Whigs of England acted this resolute yet sober part, it was not so with every other portion of the community. Much less, it is true, of the spawn of general thinking had ever been brought to market in this country, than had been long and very extensively vended in France. Our people had always been fed with more substantial food. However in times of famine, the appetites of men are less nice. When the harvest of the constitution was borne away by the courtly spoilers; when even the popular hands of a House of Commons ceased to distribute to them that bread of life, which had nourished them so long, and filled

led their veins with the blood of real freedom, it was a circumstance of no surprise, though of much lamentation, that the people should fall with greediness upon the wreck and garbage cast upon their shores from the coast of France. It was indeed a melancholy truth. About this period for the first time (at least in any degree worthy of notice) the general theories of liberty began to be held forward; the defects of our constitution to be collated with these crude principles; our want of sufficient freedom (not in fact or feeling but) in the very plan and essence of our government to be loudly exclaimed against; and the general cry of "overturn, overturn," to resound through the nation.

In the midst of this indirect government by the court party and the abuse of its functions by the House of Commons on the one hand, the licentiousness of the people on the other, and proceeding from both, the spreading of the new doctrines against the authority of that House and the whole frame of our constitution, the coercive regulations regarding America carried matters to the length of war. A greater series of affairs now presents itself.

By the Whigs, the measures which led to the American war, and the conduct held during its continuance, were reprobated as totally alien from the constitutional principles of our monarchy. *They* entered into no metaphysical discussion of rights. One great right they did indeed maintain
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(the only right worth the contending for) that no individual had from nature any title to oppress another individual, nor any people upon any pretence (and perhaps in a stronger degree still, the policy being superadded to the right,) to oppress another people. This ground of strength they certainly seized; and maintained it (as it should be maintained) with vigour. But this firm foundation of natural justice excepted, no trace of their footsteps could be perceived on any other ground in this circle. The unhallowed threshold of French rights their feet never trod. But the pupils of the French theorists acted a very different part. The American question was treated by them, not on grounds of national policy or moral lessons of humanity, but on abstract principles of natural right; and as these principles were of very universal application, after having served in America, they were recalled to do duty at home. The nation had been introduced to their acquaintance indeed, before the great breaking out of the American troubles. A book called "Political Disquisitions" (whose fame has been lately revived) had exposed the nakedness of the constitution, and demonstrated the necessity of furnishing it with a new dress from the shop of the political speculators. Though this gentleman's advertisements were very shewy, and though he both recommended his goods and shewed how needful was the purchase in very popular terms, few however had paid
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any great attention to them. The minds of the people were not yet ripe for the projected changes. But the American war became a hot-house for such principles; and they matured and blossomed apace. Dr. Price, in his *Principles of Civil Liberty*, made up a nosegay of these wild foreign flowers, which he insisted upon applying to the nose of every passer by : or rather (for this is not sufficient justice to his industry and abilities) he extracted their choicest sweets by a metaphysical process, and made a present of this refined essence of freedom and wisdom to our enslaved and wittol nation. I cannot positively say, having at that time no capacity of observation (if peradventure I have any such even at this hour) whether Dr. Price's pamphlet was a more popular performance than Mr. Burgh's *Political Disquisitions*. However I should imagine that it was. The pamphlet was not much above half a hundred pages ; so far as I recollect. The *Disquisitions*, if I am not mistaken, are four sizeable octavo volumes. The pamphlet had a determinate object, and regarded a question which agitated the minds and interested the passions of all men. The justice and expediency of the American war, was the central point round which all the Doctor's reasonings revolved. The *Disquisitions* had no specific object, and related to subjects which, though of great importance, were too general in their nature to create of themselves, without the pressure of immediate evil

or the hope of immediate enjoyment, any very particular interest. Besides the heat of the times was more favourable to the growth of the pamphlet's reputation, while the volumes had met with a colder soil and a less genial climate. What could be done for them however was done. The Disquisitions were quoted by the pamphlet with great honour, and shone at least with reflected lustre.

This publication of Dr. Price, was not the only one from this school during the period referred to. Yet read as they were, and I suppose, much read, their effects were by no means in proportion. Of the good sense and steady understanding (generally taken and where their consciences are not surprised) of the people in this nation, no man thinks more respectfully than I do. Yet I cannot take upon me to say that these were the causes of the spread of the doctrines taught by the Anglo-Gallican school, being much inferior to the zeal of the teachers. The cause was not so honourable for this people. The lust of American dominion had taken possession of the public mind, and the visions of external taxation which was to lessen their own burdens were constantly before their eyes. These splendid illusions of revenue, arrayed in the most fanciful hues, and glittering in almost faery brilliancy, dazzled and deluded the nation. Nor was it till the season of adversity and alarm that they began to dissipate before our view, while the sun of our glory, in whose beams these gaudy motes had been

been engendered, seemed rapidly declining to the west. In such dispositions of mind as were then prevalent in this kingdom, doctrines of general liberty which went to justify American resistance, were likely to be rejected without much examination. They were condemned from the company they kept. How indeed could those principles which *justified* rebellion, meet with any reception in mens' minds who rejected as seditious the reasonings built, without any other justification of the resistance at all, upon the antient policy of the empire !

The effect of these doctrines, accordingly, was neither general nor immediate. A party was, however, formed and knit together upon these principles ; neither very extensive in the beginning nor very powerful, yet bound in the closest union. The confederacy of republicanism was formed, (the unnatural birth of the court cabal) and it waited for circumstances to strengthen its power and extend its dominion.

The confederacy soon perceived that its most dangerous enemy was the Whig interest. Opportunities were seized and sought for to expose the narrowness of their politics, and to reproach the contracted spirit of their conduct. Their opposition to the American system was however praised, though it was lamented that wiser and more enlightened principles did not form the basis of this opposition. In the mean time, and notwithstanding

ing these praises, the evils of aristocracy were held strongly forth; and such a government as had taken place under the two first monarchs of the Brunswick line, happy and glorious, and (for the most part) peaceful, as the nation had been under this government, was painted as something worse than despotism. In this article (though with very different purposes) their creed met word for word, and idea with idea, in coincidence with the creed of the court faction. In this respect they exhibited something like virtue. The court cabal, by the disturbances they excited at home and abroad, had created those dissensions which first hatched and matured the spirit of republicanism. This republicanism was truly that cabal's unnatural offspring. It adopted its parent's enmities, at least in part; and Whiggism had to support a double combat.

While any hopes of success remained in the American contest, the nation still continued to cherish its delusion. I do not exculpate the ministry of that period; but it is bare justice to say that the ministry of that period (I talk not of the dominant interest of the interior cabinet) were comparatively little to blame. Especially Lord Guildford, to whom enemies and friends have been equally unjust (were not friendship turned into enmity the worst of all injustice) deserves less to be reproached than any other member of that administration. It was in every sense the war of the people in its progress; though its origin might be found

found, and was to be fought, elsewhere. Out of doors it was called for, and supported by every body. In the House of Commons, they were the representatives of great trading cities, and of populous and respectable counties, who supported it; and by the most active and decisive majorities. Unless among the Whig connexion, no opposers almost could be found. With the tide of affairs, however, the minds of the people turned too. Disaster opened their eyes, and they looked with horror upon the waste which their misguided passions had caused. It is not, however, in the nature of great bodies to blame themselves. Much less can this be expected of the people. Errors, and those great errors they easily perceived had been committed, and (as will always be the case) they laid them all to the charge of their rulers. It was now the time for the confederacy to act. Their general doctrines now came into play with admirable effect. All these general doctrines went to increase the power of the people; and of those who meant to increase their power, it could not be supposed that the people should question the wisdom. In these doctrines the people found great consolation for past failures, and much prospect of future enjoyment. Things would not have happened as they had done, if they had possessed their proper share of power. Such disasters could never again happen, when they should possess it. From a small isolated party the confede-

racy grew into fuller expansion ; and, in a greater or a less degree, the leaven of change began to ferment in every portion of the kingdom.

In the mean time the Whigs pursued their ancient policy. They were not (as they never had been) averse to all change. Some of them carried their ideas of reformation to a greater length than others ; but all took necessity and policy for their guide, and all made order and stable government their limit. The older members of the Rockingham party were the most reserved in their notions of reform and change. The whole party united in one grand principle. The American war and all its evils had sprung from the abandonment of the power of controul, lodged in the House of Commons against ministers or the court ; and from rational confidence being turned into criminal subserviency. Their efforts were accordingly directed to the restoration of the just independence of that House. One of the greatest measures for this end, and supported by the whole strength of the party, was Mr. Burke's bill of *economical reformation*. By this and by other measures, the House of Commons was at length restored to its due rank in the constitution ; united in the same interest with its constituents, and again placed, instead of an appanage to the court, as a support (in its ancient order) to the throne.

This rational and constitutional reformation had its effect upon the country. The wild spirit rais-

ed by the republican confederacy greatly subsided; and indeed was almost done away. When in spring 1782, the Marquis of Rockingham came into power, he carried along with him the hearts of the nation. The reformations I have mentioned proceeded under his auspices, and a new day was fast breaking in upon the gloom that had so long overspread the country. To the irreparable loss of this nation, that truly great man was snatched away almost in the beginning of his career. The state was left to the guardianship of the Marquis of Lansdowne and Mr. Pitt.

Their term was also short; and the coalition ministry succeeded them. During this period, the Whig connexion completed their fabric of an independent parliament. Other reformations in the state might be desired, (and some of them did desire such) but they were of a nature to require deliberation, and such as circumstances, in the gradual operation of things, would effect more easily and happily, than any direct efforts. The constitution, therefore, being renovated at home and restored to its original principles, that administration turned their views to an object of great importance; the circumstances of which called for immediate interposition, and which had been under the consideration of parliament, and by recommendations from the throne, for several years. This was the reformation of the East India Company, and the arrangement of their concerns both in the manage-

ment at home and in the territorial possessions abroad.

This bill (as every body knows) was thrown out in the House of Lords; the Whig party were obliged to retire from administration; they were supported by the House of Commons against the ministers chosen by his Majesty; the parliament was for this reason dissolved; and the new House of Commons, with the people at their heels, became the firm supporters of the new ministry; who qualified the dissolution of the former House by the name of an APPEAL TO THE PEOPLE.

This was the most mortal stroke our constitution had ever received; among the many that have been aimed at it. The question between the House of Commons and the ministers was nothing other or less, than whether the crown guiding the momentary inclinations of the people, or guided by them, (as the case might happen) should be the only power in the state. In other words, the question was whether we were to have a mixed monarchy, or a sort of *undefined republic* with a chief of popular election, which, by the non-exercise of this right, might become a *defined tyranny*; a tyranny in terms as it was in reality. A King who appeals to the people at large as his judge, will either be an absolute prince or a permissive first magistrate. He will either be a Sultan or a Doge;—that is in the nature of his power, for it may be different in the character of his person. That people, in the same manner, who have no controul over the executive

ecutive power unless in their own immediate persons, will either be a tyrannous anarchy or a slavish herd. They will bow under the sceptre or break it. The thing never was, and it cannot be otherwise.

The confederacy of republicans saw the dissolution of the Duke of Portland's administration with much gladness of heart. The principles of that administration could not be agreeable to them; and they looked with an evil eye upon many of its measures. In the contest arising between the House of Commons and the new ministers, they beheld the greatest opportunity yet presented to them of disseminating, perhaps finally establishing, their doctrines. The people, under the idea of fighting for themselves, were no doubt made the soldiers of the ministry. For the confederacy, however, it was enough that there should be a battle. The people once brought forward, would not, they imagined, soon retire; nor would their spirit thus raised be again easily laid. They beheld also in near prospect the destruction of the independence of the House of Commons; a much greater barrier against their enterprises, than any *power of the crown* in connexion with the *mere will of the people*. The dissolution of parliament was celebrated, accordingly, as the greatest of victories. And it certainly added not a little to their joy, that the leader of the new ministers was (as they thought) of their own sect, or at least approached

much nearer to them in all the principles he had hitherto displayed, than any other powerful individual in the kingdom; while his honour stood pledged for great innovations in the constitution of the state, and his intimacy with their most active agents was notorious.

This period of the history of Britain ought never to be forgotten. No considerations shall ever prevent me from declaring concerning it what I truly think. It is a high, a noble, and a necessary duty. It will no doubt appear strange to posterity, (it is strange enough even at this present hour, when we know the circumstances and causes more completely) that the court faction should have made a common cause with the people at large, and should have chosen their instrument from among the popular favourites of the day. He was highly fitted for what they designed; but he was fitted for much more than they designed. He might be an instrument; but his mind was of a master. Every thing original and acquired, natural and adventitious, was for him.

“ Hinc studia accendit patriæ virtutis imago,

“ Hinc fama in populi jurati didita verba,

“ Hinc virides ausis anni, fervorque decorus,

“ Atque armata dolis mens, et vis insita faudi.

The court faction saw what they wanted; and saw no more. But it was—*non equitem dorso*—and he is there still. It was yet the same policy that guided in the present case as in the former periods of their

their conduct. The annihilation of the controul of the House of Commons was the grand object in all their schemes. While their policy, however, had the same end, it was a much more dangerous operation than any former course had been. Had the people of this country in any way resembled the people now in France, and had not Mr. Pitt at the first bound vaulted into the very highest seat of ambition, the power and the name of monarchy might have been swept out of the country. There were spirits in the kingdom sufficiently bold to undertake it. The great mass of opinion was set into dangerous motion ; and nothing but that sobriety of character, which has always been conspicuous even amidst the wildest risings of this people, and that steady sense which has more or less shone through their most foolish conduct, joined with the feelings of ease and security proceeding from the happy nature of our constitution, and which no wickedness has at any time been ever able wholly to destroy, could have protected us against some miserable philosophic revolution. The Court faction sprung a mine which (though for the time it destroyed only their enemies) might have blown up both themselves and the nation and the throne. If the ground on which the throne now stands be less firm than it was formerly, if shakings and tremblings foreboding greater convulsions, alarm the friends of our monarchy, if a more daring spirit has gone abroad than had ever walked the kingdom

dom since the revolution, or indeed (in point of mere opinion) ever before it, this is the work of the delusion and tumult in the year 1784. It is not to blame men that I speak. Far be this from me. Farther still be from me the fear of man; which is a snare; and the forgetfulness of duty.

It was against these principles and proceedings subversive of our free monarchy, that Mr. Burke's "representation to his majesty" was directed; and it is recorded against them as a monument for ever. In it also is recorded our constitution. The knowledge of our constitution is there; and there is the love of it.

Here I must stop in this matter also. The rest must be historical detail to be any thing; and I cannot now give historical detail. Much also should be given of what was earlier done; and of which I have here set down something.

It was now the new policy began. In the former period, the attempts were to overturn the frame of the state, by holding up the House of Commons as every thing, and the people as nothing; and this was done by separating and disuniting them. Now, the attempts were to overturn the frame of the state, by making the House of Commons merely and immediately dependent on the people, and amenable to the people through the medium of the crown; and this was done by separating and disuniting them. The principles and conduct of the Whigs had ever been, to consider
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the representatives of the people and the people at large as united in the same interests, and having one common cause. Attempts to disunite them, and to play them off against one another as adverse parties, could end in nothing but the ruin of the constitution and the establishment of unbounded power in those who held the *balance*; whether these persons should be secret advisers of the crown, or enemies in another form to the existence of our monarchy.

The duty of the Whigs was therefore clear upon all the old principles; and their conduct corresponded with these principles. They were the fast friends of the people and the crown. They had stood up formerly for the people's rights. They now withstood the wild conjunction of popular fury and court intrigue. In both periods they treated with reverence the rights of the throne. Throughout they were consistent, manly, and wise. The part taken by Mr. Burke and Mr. Fox in the year 1784, was in the true spirit of this free monarchy, and according to the best examples of the best men who had flourished as Whigs in the best times of this great nation.

Besides the celebrated times of 1784, another memorable occasion existed for displaying principles. This was the case of the regency. On this matter I shall not here enter at all. Still the body of Whigs was compact and firm; and they were here, as in all former cases, on the side of the monarchy-

narchy. High parliamentary claims (after so much had been done to destroy parliamentary independence) were again brought forward on this great question. It was thought they might be made with safety.

It was not long after this, when the revolution begun in France attracted the attention of our people, and was soon held out by too many among us as an example to ourselves. The republican confederacy, through many events and from many causes, had found their designs not much nearer completion, after all even that had been effected in the year 1784. They had been abandoned by him in whom they had chiefly placed their hopes. He has since done services to this kingdom, which must render him much more an object of hatred to them, than even his original desertion. So far as our principles are not debauched, and keeping them firm and steady, he should therefore now be judged by us from what is good and not from what was evil. To act otherwise, in the present circumstances, in judging of Mr. Pitt, would be injustice as against him, and criminal as against the nation.

THE *last* subject of my discourse with you, Gentlemen, was to have been on the new theories of change, as maintained in set propositions by some among yourselves, and as conveyed in your own general declarations. It is impossible (you perceive) for me to do this now as it should be done. In
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what I am to say, I shall, first of all and most of all, in vindicating your conduct in the year 1784, condemn the conduct and principles you now hold. This was to have been my transition (a very natural one) from the one part of my subject to the other. It will now be nearly all I shall say on the other part.

I shall first vindicate you against your enemies, before condemning you by yourselves. The Whigs have been accused of creating an aristocracy to overthrow the power of the crown. I shall speak of the crown before speaking of the people; although it is impossible to speak of the one without also speaking of the other.

The crown never received a more severe shock than in the year 1784. The system pursued by the opposers of the Whigs established the principle, that in the ordinary administration of government, the crown was bound to advise with the body of the people, and to receive their advice as the sovereign counsel of the state. It has nothing ado with the mischievous energy of this principle; that the people happened in this case to advise what the crown wished to follow. It is the acknowledgement of this power residing in the people as an ordinary instrument of government. This is the evil.

It is this doctrine subversive of monarchy which they were lately establishing in France. The doctrine of the "Rights of Men," as taught in their

schools, is the very same with that proclaimed at this period in England. According to these schools the *will* of the people is the sovereign law ; and wherever they chuse to declare that *will*, it becomes the constitutional rule of right till in their wisdom they chuse to alter it. If a King has no dependence but this ;—he is a miserable pageant indeed.

Our constitution had planned matters more wisely. The people were considered in it as no part of the government at all. Their will originally formed the government ; and it was our singular felicity that this will had been exerted in conformity to the best rules of right. Their will may finally destroy this government ; and it will then be our grievous calamity that it has been exerted in opposition to all right reason. The people's will and the people's power are certainly paramount in force and efficacy to all other power and will whatsoever. In their first beginnings they may be styled rebellion ; in their latter end they become government. The founders of our constitution knew this well. They wished not that governments should beget rebellions, and rebellions hatch governments. The general will of the people was, therefore, deposited in certain bodies ; in trust and on behalf of the people, it is true, but leaving to them no direct or ordinary share in the government whatever ; for this would have defeated the very purposes of the trust, and prevented

prevented the existence of any fixed constitution. This trust (like all other trusts) is no doubt, in certain circumstances, revocable. But Kings will judge unwisely indeed for themselves and their power, if they call in the people on this ground, for their umpires between them and the other component parts of government. The people will judge equally unwisely if they allow themselves to be thus called in;—but of this afterwards. If Kings in the ordinary course of administration appeal from the other constituent portions of the government to the people, these other portions have an equal title to appeal from Kings to the people too. What is here! The constitution is at an end. We are again in a state of nature. The crown is not worth the wearing. It is held by popular election, upon this principle; and by popular election only. The doctrines of the constitutional and revolution societies are the express doctrines of the court faction. The crown has no prerogatives. If it exercise any one contrary to the will of the House of Commons, that House (if the general will of the people forms a part of the constitution) may appeal to the people as a constitutional remedy against such exercise. If the people declare for the House, the prerogative ceases. It recalls the trust abused. His majesty holds his crown not by the law of the land, but at the will of the people. He is not their active sovereign, but their permissive instrument. He is that wretch-

ed thing in the new nomenclature of Europe, which men styled King of the French.

I am not going to lose myself in any theory. I know (and I respect it as a most salutary part of our constitution) that the King has a right by the constitution to dissolve parliament, and that parliament has no power to dethrone the King. But the King's power of dissolution is a mere name, if this nefarious principle be admitted; and parliament by means of it may acquire the real power of dethronement. I repeat it again; that if the general will of the people be an ordinary constitutional power, it may, nay, it ought to be, resorted to as a constitutional remedy. The crown may be stripped of every prerogative by degrees; as it may lose them all at once. This will depend upon the people. Should they waver after matters have been set on foot, then the ringleaders against the King will be hanged as rebels to the *crown*. Should they continue firm, the King will be hanged as a rebel to the *nation*. This kingdom will be blessed with national assemblies and national guards, and armed municipalities and sovereign clubs. All this is in the principle. I defy any man to controvert it; if the general will of the people be any part of our constitution. It all exists there; all this evil, this dreadful evil. The King is nothing. And these are not the times in which evil principles are sluggish to produce evil actions.

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But dull men will come in upon me here. Does not our constitution acknowledge the voice of the people ! Yes it does ; surely it does ; it is its pride and glory. Accursed be that form of government (if government it can be called) in which the voice of the people is not heard and listened to ! The happiness of the governed is the only end of government. To suppose it to exist for itself, would be the greatest wickedness, were it not a greater absurdity. It is even revocable in itself, as it is revocable in all its derivations. The India bill of Mr. Fox had for its object a temporary recal of one of those derivative trusts, grossly abused. The people exclaimed that this recal was tyranny ; and to shew their wisdom and consistency, they joined in recalling a much higher trust, exercised most rightfully, and greatly to their advantage ; and this they styled freedom. However, it matters not here what they did. The general principle is essential to all good government,—that it is a TRUST ; although a trust of the most sacred and highest nature, upon which it is impiety to touch without the strongest and most compulsive reasons. That the voice of the people should be heard and respected, is a necessary consequence. Who so interested as they in the good administration of government ? What so necessary as that their wishes should be known, in order that government may in its wisdom shape its measures according to their necessities ? What more necessary even than that

government, through all its portions should be united with the people in affection; should be superior to them with a sort of reverence and awe? These are the habits of a good government; and they are habits which never will exist but with a good constitution. But a good constitution is that (I speak of the essence not the modifications) in which the people neither have nor can claim any sort of direct and ordinary power; in which their interference, when it is necessary as an active power of the state, is for the time a subversion of government. This is the height of political liberty; its very summit. In no constitution did this ever exist so completely as in that of England. For this very reason, it was the best. The complete annihilation of the will of the people as an ordinary organ of government, was the great and solid security of the people's freedom. This beautiful system, partly the offspring of fortunate situation, partly the fruit of wisdom and science, received (as far as its divine nature could be wounded) a most deadly stroke in the year 1784.—I trust that I have answered the objection.

Yet, perhaps, I will not be thus let go. These same men (or cunning men who are as bad as dull men) will have at me again. They will tell me (what was then sounded with a trumpet through the land), that the crown was in danger at that time from an aristocratical combination; and that the people were then called out, like the militia
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upon a threatened invasion, to defend and rescue the monarchy. If the gentlemen are there ;—I am with them. There is no ground upon which I should wish to meet them so much.

They will then be pleased to take notice (as a preliminary to the combat), that, unless they refute what I have before said, (which neither they nor any man can do) with regard to the nothingness of the crown, if it hold immediately of the people as its direct paramount Lord, that then the evil which the crown sought to shun, was an evil not near so dangerous as the remedy to which it resorted ; great as that evil might be. The remedy was (to a certainty) a surrender of the constitution into the hands of the people, and an abandonment of the rights of the throne,—a most essential part of that constitution. Are they prepared to prove that the passing of the India bill (on their own notions of that noblest act of human legislation) was an evil any thing like this? Are they prepared to prove, that the King's having a ministry (if such was the case) not so agreeable to him as another, was a reason for incurring this great jeopardy? Are they prepared, in point of fact, to tell me or the world, that the ministry which succeeded was, taken in all its parts, a ministry agreeable to the King? Even upon these personal points they can say nothing conclusive; and their cause would be lost even upon their own shallow and contemptible grounds.

But leaving these things, it is a matter of great consequence to this nation, to inquire whether what the Court faction and the democratic clubs call an *aristocracy* be in any way dangerous to the throne; or whether it be not the throne's great support and firmest stay.

Let us consider the matter in theory. The body of the people are, in every country, more or less prone to change. Thanks to the good providence of God, they are less so in this land than, perhaps, any where in the world; but still the body of the people is a changeable subject. That throne would be no secure seat which was bottomed upon the mere inclinations of the multitude. Consider the way in which republics in all ages have treated their great men; worshipping them at one time as Deities, and spurning them at another with the utmost contempt. The same thing happens to Kings in despotic monarchies, where rebellions and assassinations are in the common order of events. I mean not (far be it from me) to degrade republics to the level of these abominable tyrannies. But the truth must be told;—they have this mark in common. Among the other singular advantages of our constitution, it was none of the least, that an intermediate order of men (I do not mean nobility nor any privileged corporations or ranks) grew out of the constitution, deriving their influence from property or popularity, and who (as our constitution is in part republican) became

became precisely to the people at large what the great men were to the republican states. These men were naturally the candidates for, or the possessors of the places in power ; or, if they did not aim at these (as many of them did not), they supported with their weight and interest those particular public men of whom they had the best esteem, and wished most to court the connexion. These men were naturally exposed to all the variations of public opinion in the body of the people, to which the great men in republics were obnoxious. According to the tide of popular favour, they acquired or lost their power. In the mean time the throne remained unshaken : The popular tempest never approached it ; its fury was spent at a distance from the throne, which remained secure even in the midst of the whirlwind. This intermediate order is what in England has been called (I do not talk of the jargon of France, which they do not understand themselves) an *aristocracy*.

I am not very fond of the name ; nor do I think it a quite just description ;—at least according to the use of the word in modern times. But such a body will not be denied, in theory, to be a *security* to the throne. It remains to be seen whether the crown be liable to pay too high a price (though too high could scarcely be paid) for this security.

Now, he will be a very able man who can make this out. In a free state, abilities, and birth, and riches, will always lead to pre-eminence. It is the interest of the Prince to select his counsellors from among men of this description. It is in this way that he will serve himself best ; it is in this way that the state will be best served. Should a number of these men be united together upon a stock of common principles ;—this can form no objection to them. It is a circumstance greatly in their favour. Their operations will be uniform and consistent. They will bear with efficacy upon their several objects, and knit together the interests of the empire. This union of public principle will be the cement of the state. It will be the ornament and strength of the throne. A steady well conducted administration infallibly strengthens the power of the monarch. A people in any degree loyal, see the monarch's glory in their own happiness. It is to him that above all they refer it. He is the first and the last in their view. The popularity of ministers is his own popularity. Their power is his power, And if any real cause of uneasiness, such as could in any measure brook a public display, should influence the monarch to change them, he would soon experience that their names faded away before his ; and unless their successors were ill chosen indeed, they would find little difficulty in justifying to the nation whatever change

change the King should think proper to make in his counsels.

But if the monarch, instead of such a choice among such men, should select his servants from mere personal favour,—the whole order of the commonwealth would be changed, and his own personal state exposed to imminent hazard. In the first view, such a selection of ministers is incompatible with the existence of a free government. Personal favourites raised by the mere will of the Prince, without any other considerations, to offices of state, is the distinctive characteristic of a despotism. In a free monarchy, to do this, is both to endanger and enslave the throne. It endangers it by irritating all the orders and ranks in the kingdom; the superior sort, by defrauding them of those opportunities of honourable ambition to which they think themselves entitled; the inferior classes, by setting over them as rulers, persons with whom they have no natural interest or connexion. Not to mention that it is in the nature of favourites always to abuse their power. It enslaves the throne by tying down the monarch to a real, confined, and narrow aristocracy; whom he dare not change, because he is told, that if they are once dismissed, he is delivered up to his enemies. They make themselves necessary by awakening his fears; and when once made necessary, they are of course his masters. They are, in truth, the janissaries of the throne; only that they do not always serve it
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to well in times of danger. Never in a free state, did a truly public minister, raised to power upon truly public grounds, overshadow the glory of his sovereign. It has been eclipsed by favourites a thousand times. Such men can have no affection but to their own power; and they trample upon the state, in the name of their master.

The power of Kings is, therefore, exceedingly insecure, when built upon a system of favouritism. It is equally endangered, if every suppliant of the mob be raised to trust and office by their immediate influence. These favourites, whether matured in the hotbed of a court, or growing up in the common of wild popularity, are not constitutional plants. They are poisonous to the authority of the crown. It sickens before them. The crown can only be secure with those ministers whom the deliberate public voice has approved, and who, though not independent of the displeasure (let the motives be just or unjust) of the King and the people, yet are not called into existence nor liable to be reduced into nothing by the breath of either. But this can be the case only of those ministers who belong to a body formed upon a system of principles decided and clear, by which they are bound to the constitution and among themselves; and a body whose power in the country is founded upon their natural original influence, or acquired public consideration. From such a body the crown can experience no diminution

tion of its just rights. It will not find tools in them, it is true ; but neither will it find masters. And it certainly will not be said by any lover of free monarchy, that it is any improper sacrifice on the part of the crown, that its will should not be absolute. We are speaking here of the crown of Britain, not of the diadem of Persia. And it will be remembered that this last, and all those like it, have ever been so insecure as scarcely to be called the property of the wearer,

The argument may be reduced to a point. Ministers made out of personal favourites bring Kings to the necessity of supporting *them*; and the throne exists (so long as it can exist) only as the basis of *their* power. Ministers made out of popular demagogues (unless they turn favourites also, which sometimes is the case) bring Kings directly and immediately under the vassalage of the people. What method has our constitution taken to prevent these evils? It has taken a wise method, in this as in all other cases.

The constitutional will of the people is only known through the House of Commons. That House, from its popular origin and duties, is naturally fitted to remonstrate against and oppose the abuses of the royal prerogative, in naming ministers from mere personal favour. That House, from its union with the other parts of government; from its not merely depending upon, though originating out of the people; from the necessary
deliberation

deliberation in its measures ; from its greater gravity and consistency ; and from its mixed aristocratical and democratical composition ; will neither support nor oppose ministers with the levity or the fury incident to the people at large. The public voice is there purified, and the public will enlightened. The crown, therefore, in the just exercise of its prerogative, has nothing to fear ; in the abuse of it, the remedy will never go beyond what is necessary to its removal. A body better fitted to give counsel, and at the same time moderate counsel, cannot be conceived than this house. A body less fitted to give counsel, and at the same time more ready to break out into dangerous extremities, cannot be conceived than the body of the people at large. Does that monarch judge wisely for his prerogative, who appeals upon his measures from that body to this ?

So stands the matter in the view of theory. Let us consider it in the fact.

And here we are in the very sunshine of demonstration. This which the court faction call an aristocracy, has been at all times less or more the means of government in this country ; and our liberties have flourished more or less, and the dignity of the throne been increased or impaired, in the exact proportion of its influence. Many examples might be given from the early periods of our history. In later times this mode of government had made our crown the greatest, the most splendid,

splendid, and the most secure in the universe. Our great deliverer governed in this manner. Queen Anne followed his steps ; and the two predecessors of his present Majesty, treading in the same path, saw new glories every day encircling their throne. If ever any monarch had a happy reign, it was his Majesty's grandfather. Yet it was a reign, in every part guided by those principles which wicked men hold out as enslaving to sovereigns. George the Second governed by party connexions during his whole reign. He was not enslaved by them, but made powerful and glorious. And his name and his reign will go down to future times as the brightest period of renown in our monarchy.

The men in England then saw no democratical visions. We did not then talk in a strange speech. The unhallowed language of pretended rights of man was altogether unknown. The blasphemies uttered in our days were not then directed against the seat of royalty. There was not a man that did not reverence kings through all the borders of these realms. We gloried in the name of monarchy. The nation (indeed) prized its freedom. It held in high reverence the principles of the Revolution. But this freedom it judged stable only as linked indissolubly to the throne. Neither in nor out of parliament was a single word of the democratic tongue spoken, through the whole course of this long and prosperous reign.

The virtues of our present sovereign deserved the same rewards and renown. It is not yet too late to obtain them. They are to be found in the old system of the monarchy. *Antiquam exquirite matrem.* Our unexampled national prosperity, thus linked with honour and freedom, with public spirit and private virtue, will increase and continue. That old strength which produced and produces all, will be renovated; and the reign go down in that brightness in which it rose. The intermediate calamities have been mingled and compensated with great blessings and glories. These evils will be remembered only as having taught salutary lessons; with the manly pride that they were wholly overcome; with the prudent confidence that they cannot again afflict us; they will remain the monuments of courage able to resist, of wisdom able to repair and recover. This is our true golden age. Let us seek no other.

Such is the theory and such are the facts concerning what has been so falsely styled an aristocracy in this nation. I think enough has been said upon it; though the matter is large, and the field ample. At the same time, to the man who wishes chiefly to reason, there is no necessity for considering this subject at all. It must remain an eternal truth (the ground upon which I have originally put the question), that for the crown to appeal to the people at large, as an ordinary instrument of government, any way recognized in the form of
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the constitution, is to divest itself of its rights. It will be only what the French (and in this they have chosen a very proper word) call it, *a public functionary*.

This was the case of the crown. Attend now, gentlemen, shortly to that of the people.

The rights of the people never received a more severe shock than in the year 1784. The people are only powerful (that is permanently powerful) by their power existing in a representative body, or, where representation is unknown, existing (though not existing so well) in some legalized body of some certain and definite description. When the people at large are brought into action, it is an energy which exhausts itself: *Animam in vulnere ponunt*. Whether they destroy other powers or not,—they are sure to destroy their own. They did so at this period in a greater degree than ever before happened in this nation.

The people of this country (as has been seen) were again rising into that estimation which they had enjoyed during the soundest periods of our government. The afflicting dispensations of providence which the nation had undergone, made even the most careless attentive. These calamities had operated as a proclamation to all the citizens of the realm, and they assembled at their posts to do their duty. They exercised that right, secured to them by the constitution, of laying their grievances before the throne, or their immediate representa-

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tives.

tives. In truly constitutional language, and according to the most sacred constitutional forms, with great humility, but with great firmness, they thus admonished their representatives of *their* duty also. The admonitions were not in vain: and the wisdom and patriotism of the Whigs had established the people's rights on their old foundations.

But in consequence of the transactions of the year 1784, the people of this country surrendered themselves to the will of a master. They divested themselves of all power. The power of the people (their permanent and stable, which is their only real power) consists (as I have said) in being rarely brought into immediate action. It is their *vis inertia*, that preserves the order of free government. This, in the political world, as in the natural, is not a dead and lifeless, but a quickening and vivifying principle. It is *placidam sub libertate quietem*; according to the admirable expression of Sidney. If the particles fly from each other with wild hostility; if their cohesive attraction cease, their strength ceases also; and their force is weakness. They are scattered to the winds of heaven. And into whatever form they may be afterwards gathered, they will regain stability only in proportion to their mass, and become possessed of an effectual resisting power, in the exact measure only of their repose.

When the body of the people acts, the government is dissolved. No proposition is clearer. Government

vernment is a relative term, implying the governors and the governed. When the people act in a body, there can therefore be no government. They are the governors and governed at once. They command and they obey themselves. This state cannot last long; and its natural and common end is slavery. But here we are in the very region of *terms*; and they (such is the political genius of the age) must be noticed and explained to explain the subject. In doing this I enter fairly into my third and last head; but I shall also and at the same time vindicate, and condemn you, Gentlemen, upon the ground where we are, by the comparison of principles and conduct.

The *Social Contract* of Rousseau has been called an extravagant work. It might with much more justice be called a silly work. What wisdom there is in it, is not new; and its folly is not greater than common folly. Even when I admired Rousseau; and before I read the last part of his *Confessions*; which has made my admiration cease for ever; I yet never held his political discourses in any sort of estimation: least of all the *Social Contract*. But it is a book of terms; and some of the terms have done great evil. Such are his terms of *sovereignty* and *government*; the explanation or perversion of which indeed make his whole book.

His use of either term (which, were it otherwise, would take away much of the evil) is by no means constant or regular. So far as they are made to fig-

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nify the ordinary *legislative* and *executive* powers in any state; the *sovereignty* meaning the first, and the *government* the last of these; it is a matter both trivial and foolish. These things are better expressed by their usual names. Otherwise that Parisian was exceedingly right, who told his representative, that he as representative had not so much power as himself, being only *representative* while he was *people*. The legislative power is delegated away from the people as well as the executive; and not more delegated.

In a higher sense, the terms are new but not the thing; and the thing, which is itself most true and just, was better expressed formerly. The distinction was known in this country; and it had its constitutional names in the famous "free conference" at the revolution. The "supreme power *real*," and the "supreme power *personal*," denoted with the revolution Whigs what the Social Contract calls sovereignty and government. In explaining them (if they need explanation) I shall quote myself. It is because I can in no other way do it so shortly; and for the purpose now in hand. The words are in a small pamphlet, published by me without a name, at so early a time of life, as that period when the great question of the regency was agitated; under the title of "The Question Solved;" and all the principles in which I hold equally at present. It perished among the lumber. "The *supreme power real*, as it has been
" styled,

" styled, that power which first gave being to both
 " King and parliament, the ultimate resource of
 " government, must always subsist, and ever have
 " a *capacity* of action ; for, without it, the consti-
 " tution, if once violated, could never again be
 " restored. But the *supreme power personal*, when
 " a certain form of government is chosen by the
 " community, and certain persons or bodies are
 " invested with the sovereignty, can never be
 " exercised in any way, or to any effect, unless the
 " constitution be dissolved, but by the King, Lords,
 " and Commons, of Great Britain. Both these
 " positions the revolution has established to be
 " political axioms. That glorious event has de-
 " monstrated both the *latent energy* of the people,
 " merely as the people, to renovate government
 " or to create it ; and the absolute incapacity of
 " any constitutional act being performed but in
 " the complete union of its different branches.
 " Two truths, two grand and sublime truths—the
 " pillars each of British freedom." These terms
 of supreme power real, and supreme power person-
 al, thus express most clearly, and much more aptly,
 than those of sovereignty and government (which
 as common unscientific words must be used on so
 many common unscientific occasions, and fre-
 quently the one for the other) what the power of
 the people is abstractedly from a constitution, and
 what the power of the people is under a constitu-
 tion,

tion. Rousseau has not the merit of invention ; and he has the demerit of perplexity.

But he has not all the demerit that has been thrown upon him by those who call themselves his admirers and followers. The *sovereign people* (though that is not their opinion) derive no title from him. Even in his theory they are usurpers, and must lay down their crown. Where the supreme power personal exists, the people, as the people, have no share of it. I do not quote Rousseau as matter of authority. God forbid ! Yet he was in intellect, as in imagination, far beyond his contemporary philosophers, who persecuted him so cruelly. And it is some matter of comfort when a man of some sense does not speak utter nonsense.

“ It is contrary to *natural order*” (he says) “ that the majority should govern and the minority be governed.” Nothing is more true. The majority never was, and never can be safe, but in the fair and settled rule of the minority. The French democratisers of our days, who call or called themselves the pupils of Rousseau, think very differently. Their rights of men, their *natural order*, require that the small number should be governed by the great. Twenty-four millions of men (or whatever more millions there are ; all their boasted metaphysics resolve into this right of majority) should govern two hundred thousand. This is the cry of their war, and the syllogism of their sys-

tem. We are told by a philosophic priest (once a bishop) that *all the errors and all the principles* assembled to fight, for the first time in the world, in the metaphysic champain of France. *C'est le premier combat* (says this holy man) *qui se soit jamais livré entre tous les principes et toutes les erreurs.* They are a numerous host :

" Such forces met not nor so wide a camp,
 " When Agrican with all his northern powers
 " Besieged Albracca."

But the most valorous knight, the grand champion, of this new chivalry, the master principle, inspirer of wisdom, whom all the ideal host obeys, is the Preux Chevalier of the numeration table ; far more redoubted than Sir Tristram or Lancelot, or all the knights of the round table put together. Twenty-four millions of men ! A thousand echoes repeat the magical sound ; and the whole army of errors, generating and generated since the creation, (even Rousseau himself) fall before the spell. Yet still, and after all, it remains the same truth it was before, that government indeed is constituted for the benefit of the many, for the benefit of all ; but that the many may be benefited, that all may be benefited, the government, though not for the few only, must be by the few. As to this battle of errors and principles, its only resemblance that I know (as it has been and as it is) is to a battle recorded in the most original of all the works of

Voltaire; and where the combatants had the misfortune to run mad :

“ Tous contre tous, assaillans, assaillis,

“ Battans, battus, dans ce grand chamaillis,

“ Crians, hurlans, parcourent le logis !”

It is accordingly the first of all political truths, that the interposition of the body of the people in any other way than what is given by the constitution itself, is naturally to the effect of self-destruction. Cases of *necessity* are excluded ; where the risk of destruction is very virtue. But excluding them is the including all others. And in all cases (necessary or criminal) it is of fortune rather than of wisdom, when the people escape the temporary dominion of a master.

In England the people most certainly fell under it, at the times of which we speak. Their recovery was not to their old freedom. It was to the half-waking and diseased dreams of the new visionaries. Alas ! Gentlemen, they also found you not at the post, at which you had been left by them. Little was wanting (*their possets had been so drugged*) to make their sleep the sleep of death. It was otherwise ordered in the series of things. But they only awoke to join senselessly and unconsciously in the first cry that fell upon their ears ; and this cry was of the republican confederacy, now sounding loudly throughout the nation. They did not find you, Gentlemen, at your post ; nor have you yet returned to it. You were of that renowned

nowned body, whom the people of England had known so long ; who, while guarding against the invasions of the crown upon the popular part of the constitution, or of favouritism for these ends usurping the powers of the crown, had thrown up also a bank and mound against the torrent of democratic fury. You were of that body, who had so often declared, that the rights of the people must ever be sacred, that the hand of power ought not to be permitted to touch the meanest particle of them roughly ; but who had at the same time declared, that they must be exercised through legalized organs, and that through these alone, a regular, a permanent, a vigorous, and effectual exercise can be accomplished. That the voice of the people is not otherwise articulate. The groans of despair, or the yells of fury ; the sobbings of oppression, the shrieks of agony, or the shouts of exultation, might be expressed by the simple commoners of nature. The firm and manly language, the liberal and cultivated speech of the human race, the truly divine voice of the people, never was and never will be heard, but from those who are gathered into free governments, and who rising above elemental sounds, have combined them into the alphabet and grammar of freedom. This was the wisdom they had formerly listened to ; which patriotism had inculcated in the charms of eloquence, and the earnestness of truth. They heard it from you no more, Gentlemen. And this is your condemnation. You were yourselves riding

on the top of the popular wave. Nor had you any settled course ; any one place of destination. All was uncertainty in this tossing of the elements. Where you were was evil : this you declared ; and this was all. You were not in direct alliance with the republican confederacy ; but with them, in the tempestuous darkness of the times, you looked for light in the flames of France. You no longer read the book of government by the mild light of our old policy ; but by the lurid gleams of a democratic furnace, " impaled with circling fire," you coned over the distracted annals and framed the wild code of chaotic domination. Shall you not return ! Surely the apostacy cannot be for ever. No. No. ! " There is hope in thine end that thy children shall come again to their own border !"

In this shaking of the nations, one man, a man of old Whig principles and old Whig courage, stood forth. In the former times, and during the prevalence of the court faction, and reprobating severely the name they had insolently assumed to themselves of KING'S FRIENDS, he had pronounced (and they are recorded in his immortal works) these memorable words. " May no storm ever
 " come which will put the firmness of their attach-
 " ment to the proof ; and which in the midst of
 " confusions and terrors and sufferings, may de-
 " monstrate the eternal difference between a true
 " and severe friend to the monarchy, and a slip-
 " pery sycophant of the court !" These prophetic words, in the " Thoughts on the Cause of the pre-
 " sent

"fent Discontents," pronounced so many years ago, were now in their awful completion. The time of trying the eternal difference was now come. The crown tottered on the head of every monarch in Europe. The billows of democracy were breaking over them. The sound of the tempest had reached our ears even in this land. Who stands forward to still the uproar; who casts himself among the breakers to rescue the diadem from the devouring surge! The defender of the throne was found in the camp of the people; of the people such as they had long been known in England; in that camp where the banners of democracy never flew; a man who never having exalted the kingly powers so as to overshadow the subjects' freedom, was equally bound not to permit the people to trample upon the crown. This part he acted under great difficulties; with no support; against the most powerful opposition. Those who flattered the crown in its security, were not to be found in the day of its danger. They trod not upon the high places of the field. He was deserted by those also whom loyal liberty should have joined with him in this great battle of the constitution. Nor was it desertion only; much as this would have unnerved any other arm. I will not state it. But this I must state. You saw the bacchanals of the French revolution let loose upon him; to tear in pieces the honour of your party and the ornament of the human race. But they

they did him wrong, being so majestic, to offer him the shew of violence. It could not reach him. They might doom him to death; but he was fated not to die. His fame flourishes fresh and green; while he is encircled with new trophies of renown.

“ Et duo rapta manu diverso ex hoste tropæa,

“ Bisque triumphatas utroque ab littore gentes !”

He has championed the people and saved the throne.

He had no assistance. Even among the Whigs who did not fall, he had none. He was alone, No human being ever stood in the same situation, None.

The strength of the ministry, the will of the nation, has now joined him. There are names also of those, who seeing the danger have since done with him the duty of danger; wisely and manfully. One name will live for ever; yet, in *my* feelings, there is something to forgive.

The ministry are entitled to the praise of acting firmly, though acting lately. Alas! Gentlemen, (and it grieves me sore) where shall grateful posterity find praise for you!

Never shall I hear without indignation the abuse and insult thrown upon you by those, who in those first days of terror and dismay, were burrowed in their holes, hid in their fastnesses; who, watched with cunning foresight what was passing around; and, following the nature of their kind, were ready to fawn on whoever was master. The men in high office have (I think) behaved well. Admi-
nistration

nistration was obliged to guide itself by circumstances of events ; by seasons and times. If I were called upon to justify them in every respect ; I believe I could not. I think they allowed danger, dreadful danger, to come much too near. We are saved by that wonderful man of whom I have spoken. But yet as to ministers, in the services done we forget the lateness of doing them. Gentlemen, if these measures had not been taken, you would have seen this country like France. Those beings who now insult you ; those underlings who (after their courage was fairly roused) were of some use in throwing stink-pots, when all means of defence and attack were proper because all means were necessary, and (now that the great necessity is over) should be dismissed, not disgracefully, but yet dismissed ; those beings might have been among your masters in the new order of things, and proved to you (yet I am far from meaning as has been done in France) the blessings of your schemes and conduct. Again I say, Gentlemen, again and with earnestness, your old principles are the only true principles. They are the only happiness of the country ; they are the only honour to yourselves.

I shall say only a very few things more ; and then take my leave of you.

Nothing is more frequent in the ordinary talking of the age, than to speak about the popular origin of government. It is the chief *ignis fatuus* that has

has led you astray, Gentlemen. On this subject, there is a very strong seeming inconsistency of Mr. Burke; which it surprises me much, that the *inconsistency-catchers* in republican pay have not fixed upon. As it is both an introduction to the argument we are upon and a part of it, I shall mention the thing very shortly.

In the representation to his Majesty, moved in the House of Commons by Mr. Burke, on Monday, June 14th 1784, and seconded by Mr. Windham, it is said, that the members of that House are the *sole representatives of the people*. The Marquis of Lansdowne had both before this period, and now also, maintained that the House of Lords (it looks, but at first sight only, a strange thing in a democratic creed) were equally the representatives of the people with the House of Commons. He did not mean this in the way of vulgar railery, as if the House of Commons were no representatives at all; but really and *bona fide* putting in a representative claim for the Lords. Mr. Burke reprobated this as most dangerous and unconstitutional doctrine; such as could not be tolerated in the state. But, behold! Gentlemen. This very Mr. Burke had formerly said and printed, that "the King was the representative of the people; so are the *Lords*; so are the *Judges*." I see that Mr. Burke's *inconsistencies* are now brought into courts of justice, to help out a lawyer at a dead lift; and in this way they seem to be far from unserviceable. I am told they have even got into the

the Old Bailey. This looks like the thing going out. So that I shall receive no thanks for this present to the bar; certainly much better than any that has been given before it. However—

“ A popular origin is not the characteristical distinction of a popular representative. This belongs equally to all parts of government and to all forms.” All the parts of government have thus a common origin; but they have specific duties and specific rights, belonging to and to be exercised by each. “ For it is not the derivation of the House of Commons from the people, which makes it in a distinct sense their representative.” King, Lords, Commons, have all equally a popular origin. All have not equally popular duties. The Peers of this realm are not elected into their House by the people, more than the King is elected into his throne. They are there wholly independent of the people’s choice; as the King is. Their order, though existing for the public good (as for the same ends the King exists) does not therefore exist for the protection in the first instance, and the safeguard of the people. These duties primarily belong to the actually elected representatives of the people; not to those who in the general trust of government may be generally termed such. Hence, in a great and essential point, the invariable maxim of the British constitution is, that the House of Lords has in no sense the disposal of the public purse. A money bill is sacred

to

to the House of Commons. Though bound by every principle to be loyal to the King ; it would be a notable inversion of the constitution, to look to the crown in the first instance as the natural guardian of our popular rights. Though bound to respect and maintain an established Peerage, it would be a symptom of a malady approaching to incurable, to esteem their body either equally fitted from its nature, or equally desirous with the other House, to defend the people's privileges. They are there to defend the constitution in general, and to protect (in measure) their own order. The House of Commons is in its place, to defend the constitution also, and to protect more peculiarly (yet here too in measure) the liberties of the whole commons of the realm.

It is thus, that this *inconsistency* contains the most necessary and beautiful and most consistent truths ; that every part of the government is a trust from the people, but that the different portions have different and contradistinguished duties. A weak intellect, unaccustomed to combine and discriminate, will find always the greatest inconsistencies in the greatest wisdom ; and the weaker the understanding and the greater the wisdom, the inconsistencies will be the more. This debility of intellect is in the French school now denominated metaphysics.

I entreat the pardon of all men of sense, for having introduced this legislative wisdom as a matter
of

of inconfistency; and for writing a commentary upon a text which is light itself as well as reason. But it is necessary and laudable nevertheless, to take that mode of doing any thing which appears to be most useful. There are a number of weak and silly men, in whom misapprehension may be mischief. Even they perhaps may be reached by a thing of this sort. At any rate it was right to try. As to the others, whose business is to search; if they are ever mended, they must mend themselves; which will be no easy matter.

The truths themselves are wonderfully important. While they establish all government to be a trust, they limit the interference of the people greatly; and mark the limits. To hold all the component portions of government to be equally under the controul (such controul as ought to be exerted) of the people, would be a capital and grievous error in political science. There ought even to be in all good governments, controuls *against* the people. These too are themselves trusts; but not trusts in the high sense in which a chosen popular representative body (which is a controul for the people) is a trust. The House of Commons as a part of the constitutional government is as much (it is true) beyond the people, as any other part of the constitution. But each House of Commons, as consisting of individuals chosen by the people, to act more immediately on the part of the people, is peculiarly under the people's

ple's controul. It was the taking it from this liberal and dignified subjection, that made the danger formerly ; when Mr. Burke truly said, that " the distempers of monarchy were the great subjects of apprehension and redress in the last century ; in this, the distempers of parliament." Afterwards and in our days the danger was made to be, the taking away its stability and independence, degrading it to the mere instrument of the people, or of the leaders of the people, in alliance with or (it might be) against the throne ; and leaving it no root in the constitution to withstand the shakings of power from any quarter. But independent and stable as the House of Commons ought to be, (and, in its legislation, being as irrevocable as any trust can be, yet arising directly out of the people, it is accountable to the people in a way in which no other part of our government is accountable ; and different altogether (take it as the chief example) from the crown.

It is wholly from the want of political science therefore (while we pretend to this science so much) that the general trust of government has been held out as subjecting it generally to a general account, when the people chuse to call for it. The glory of our constitution, and its liberty, is, that the trust is put beyond the ordinary reach of the people ; that the watch over the execution of government is in the popular part of government, not in the people ; and that it is only in the disability of the former

former to do this duty, that the people (as not in an ordinary case, yet watchful over their representatives as they ever ought to be) can interpose; the measure of the interposition being suited to the necessity of the circumstances, and meant to preserve from destruction not to destroy. For the people have even no power (no rightful power) of change, considered only as change; their reserved interposition being a reservation of political law, founded itself upon the compact of government and a part of it. To interpose for change, when the functions are performed, and in the capacity of performance, is power without right. These are the principles. If the question be of fact; then I am off. Like all other facts, it must be substantiated by proof; and like all other proofs, it will be allowed or not allowed, according to the nature and relevancy of what is offered. To aver boldly, and crave proof, is now the common engine of political destruction.

The House of Commons being thus the controul for the people, ought to be independent of the people; otherwise it would be merely the people's controul. The House of Commons being thus the controul against the executive power, ought to be independent of the executive power; otherwise it would as against the executive power be no controul. The House of Commons being thus the controul for the people, ought to be accountable to the people; otherwise it might be turned against the people. The House of Com-

tions being thus the controul against the executive power, cannot be accountable to the executive power, but ought to be intimately connected with it as a component part of government and to stand or fall together; otherwise it might be turned against the executive power.

Let me mention one circumstance; and then I hastily go on.

For many years previous to the 1784, the nation almost unanimously (and as I think very unjustly) had called out for the dissolution of the East India Company. The press groaned under the multitude of publications in which that Company was attacked. The hands of ministers were heavy upon them. The voice of the people was against them. The crown grasped at their territorial possessions. The nation claimed a free trade. On every side the Company was surrounded with dangers. Even those who in other things opposed the views of administration, looked with the same evil eye upon this devoted Company. Throughout the whole kingdom they had no defenders, out of those immediately belonging to the Rockingham connexion. Yet the cause of this Company (what was thought its cause) was made the cause of the people and the court in the year 1784. The India bill did not seek the dissolution of the Company. Yet to touch their charter in the smallest point was now proclaimed as tyranny, by those who had long called for its destruction.

Opinions

Opinions are now (or lately were) changing to destruction again. Indeed this will only be to do formally, what has been done substantially already. But; such was the versatility. There was much more. It was a matter (if any matter ever was) out of the common judgment of the people. The labours of two committees for years were preparatory to its introduction. The objects it comprehended were vast in their magnitude, and various in their relations. Much particular and much general knowledge was requisite to form any thing like a correct judgment of the design, or to understand in their order the component parts, of this grand scheme. If the tribunal of popular appeal was ever an incompetent court, it was here. Yet upon this subject the court faction held the decision of the people supreme; that decision which (at a former period of this reign) they had rejected with scorn, and branded as treasonable, in the case of their own election rights; which came home to their immediate business and bosoms, and lay within the compass of their common understanding. But it was not, that in 1769 the voice of the people was held as of rebellion, and in 1784 of reason and sovereignty; it was not for this, that I have placed this strange proceeding here. It was to shew how necessary the independency of the House of Commons is; their independency even (and in the existing House) of their constituents the people; their independency of the throne. It would require high genius and

much time, to explain all that a British House of Commons is. There never was any thing like it any where else in the world ; perhaps there never will be any thing like it. It is very silly stuff that those men talk, who are eternally deafening us with the *reform of its representation*. They are scarcely yet fitted to learn the elements of politics on a cake of gingerbread.

As to government then being a trust ; it is exceedingly true ; though a trust of very different definition and substance as in its different portions. There is a great deal of democracy in saying that the Peers are as much the representatives of the people as the House of Commons. It seems an aristocratic claim, but it is a democratic concession. It is an invitation to pull down the House of Lords, but not the individuals of the House of Lords, when the *rights of men* require it ; just as the people pulled down the House of Commons, but not all the individuals of the House of Commons, when the CHARTERED *rights of men* required it.

By the bye ; the law of primogeniture seems not wholly to be abolished in the new system. When their elder brethren, the rights of men appeared, these chartered rights quitted the premises ; while the entry of the others to the inheritance has been celebrated with great rejoicings, through the whole regions of the new sway. Is it wrong in me to speak in this sort ? How both these sacred names have been abused !

From

From the general doctrine of trust, wisely considered and soberly ; with the true courage of freedom and freedom's high reverence for what has created it ; many useful documents may be drawn, and on it many be founded many deeds of virtuous glory. Let the people ever watch government ; but let them not meditate anarchy. Let them exert their controul ; but remember that it is controul only that they ought to exert. All government unquestionably originates from the people ; but let them not therefore wish to make all governments resolve into the people again. Their origin is high and noble ; but let them not therefore, with a foolish pride, seek to display at every instant the ornaments and trappings of their station. Without all doubt the governors of the people are only their trustees ; but let not the people therefore recall their powers, or keep them in a slavish subjection to their will, merely to indulge the low vanity of shewing that abstractedly they are the masters. It is the sure way to make themselves the slaves of those among themselves whose minds are most slavish.

The evil conclusions that have been drawn from the doctrine of trust in our days are many ; some of the dreadful practices we have already seen, Gentlemen. My friend has made some of these conclusions ; far indeed is he (far as any man) from any of the practices. But others will practise.

I am in debt to him on one subject ; and there is another of such importance that it cannot be passed over. He knows that I detest political metaphysics ; but I can also (justified by necessity) try my hand at them. Rousseau shall make my excuse (yet my excuse is otherwise obvious) for saying so little, by shewing that, even with leisure and room, there is little to be said. The passages are in the *Lettres écrites de la montagne*.

“ L’art qu’il emploie le plus adroitement pour
 “ cela,” (says Rousseau of his adversary, and what
 “ ever is said to *him* is *not* said to my friend) “ est
 “ de réduire en *propositions générales* un système
 “ dont on verroit trop aisément le foible s’il en faisoit
 “ toujours l’application. Pour vous écarter de l’ob-
 “ jet particulier, il flatte votre amour-propre en
 “ étendant vos vues sur de grandes questions, et
 “ tandis qu’il met ces questions hors de la portée
 “ de ceux qu’il veut séduire, il les cajole et les gag-
 “ ne, en paroissant les traiter en hommes d’Etat.
 “ Il eblouit ainsi le Peuple pour l’aveugler, et
 “ change en *theses de philosophie* des questions qui
 “ n’exigent que du bon sens, afin qu’on ne puisse
 “ l’en dédire, et que, ne l’entendant pas, on n’ose
 “ le désavouer.”

“ Vouloir le suivre dans ses *sophismes abstraits*,
 “ seroit tomber dans la faute que je lui reproche.
 “ D’ailleurs, sur des questions ainsi traitées, on prend
 “ le parti qu’on veut sans avoir jamais tort : car il
 “ entre tant d’éléments dans ces propositions, on
 “ peut

" peut les envisager par tant de faces, qu'il y a toujours quelque côté susceptible de l'aspect qu'on veut leur donner."

There never was more truth spoken. It is itself an answer to all the metaphysics of France; even of the best kind. Why did Rousseau not observe his own rule? Indeed he recollects, in the very place I have quoted, that he had often broken it; and alleges for it a very silly reason. Far be it from me, however, to condemn the employment of intellect in the philosophy of government. This is now more a duty than even formerly; to expose the crude abstractions of the day. I do not at all like it; but I must have this conflict with my friend. However disagreeable, it is a duty.

I promised formerly to confute, by explaining my friend's defence of the "grand *theoretic principle*," as he calls it, of the French system; and I now do it. This principle, he says, is the assertion and protection of *the natural rights of man*.

My friend, in the outset of his book, has found great fault with Mr. Burke for not giving a definition of the French revolution. What definition could be given of it, I know not, unless that it was a complex act of treason, robbery, murder, rebellion, and atheism. But my friend himself has done much worse in giving us no definition of the natural rights of man. What are *the natural rights of man*?

N p 4

I do

I do not deny that myself or any body, endowed with a tolerable understanding, may know without any definition what are to be held the natural rights of man; and with ordinary virtue and courage may esteem and defend them as most sacred things. But in this matter of abstract argument, without a definition of them, we may as well hold our tongues; and indeed much better hold our tongues. We can only babble.

At his very outset, after bringing forth these natural rights of man, my friend in effect says, and indeed in terms, that there are no natural rights of man. The way in which he says this is curious. So far from a surrender, he declares, there is not even a diminution, of natural rights by entering into society. He then says that there was no state antecedent to the social. If this was the case, there could indeed be neither surrender nor diminution, by men entering into society, because men always were in society. All rights were social, and none natural. In this sense by natural rights of man, my friend means man's rights in what has been called *a state of nature*; and yet denying the state, he denies the rights. Man has according to him only social rights; and yet you will hear my friend immediately talking, and repeatedly talking, of his natural rights.

His charge against Mr. Burke is, the having said that appeals to natural rights are inconsistent and preposterous, and that a complete abdication
and

and surrender of all natural right is made by man in entering into society ; and to prove this he quotes passages, where Mr. Burke speaks of something being abated from the full rights of men, and of their suffering some artificial positive limitation.

He next proceeds to state, that a portion of natural right is *surrendered* by man on entering into society, goes on to ascertain the rule and measure of surrender, and concludes most justly, that we are not precluded in the social state from *any* appeal to natural right, (yet *what* natural right ?) which remains, he says, in its full integrity and vigour, *if we except that portion of it which is surrendered.*

Then, he prefers the social rights retained to the natural rights unsundered ; for equality of right in a state of nature is an impotent theory, he says ; and it is called into energy and effect only by society. Agreed.

Again, *the remnant of right spared by the social compact* is equal, he says ; there being *civil* inequalities, but no *political* inequalities.

If he means by this that though different persons have different rights, yet all rights are of equal sacredness and security ; that my cottage is mine as much as your palace ; that my rights of a commoner are as secure as your rights of a peer ; that the subjects' rights are as strong as those of the magistrate ; he then speaks very great truths and very need-

needless truths. If he means any thing else ; he must tell us.

And it seems as if he meant something else ; for he says, or seems to say, that all men have equally a direct original right in civil society, to the same share of power in the state ; which is certainly making every man have the same rights and not an equal security of rights.

He now goes to the application of his doctrine ; that there are natural rights of man, and no natural rights of man ; that man does not surrender these natural rights, and that he does surrender them ; that man enters into society, and that he does not enter into society ; and, in the conclusion, that a remnant of natural rights is found in the social state ; which remaining rights are much better (and I heartily agree with him) than the whole natural rights put together,

In considering the practical uses of the doctrine, he says that the slightest deviation from *it* legitimates tyranny. It is of much importance then that we should know what *it* is. But we know *it* not.

Giving us no more knowledge directly, he yet negatively informs us, that it cannot be the supposed *convention* that is the criterion of government ; for the only interpreter of the convention is the usage of the government ; which is thus preposterously made its own standard.

In

In other words, there may be unfair conventions ; and the consequent injustice does not strengthen the title, but take it away. I agree with him.

But how can we judge of the convention without some standard, which is not itself? We cannot ; it is certain. And what is this standard? Man's natural rights ; says my friend. But what are they? We stand still, Gentlemen.

I am none of those, who think that evil is good and good evil, by the constitution of man. French democracy will never be good, though it should last for ever. Let us see what man's natural rights or his social rights (or give them what name you please) are ; those rights which he *ought* to have ; which society is instituted to preserve and increase, by protection, restraint, defence, limitation ; using all wisdom and all power, for the purposes of all good and all happiness.

The rights of man are not created by the compact of society ; they do not exist but in the compact of society. In the one sense they are natural ; in the other they are social ; and in the fulness of definition they are simply his rights.

They are his rights because they are less than natural, They are his rights because they are more than natural. They are his rights not because they are social but in being social.

The criterion of government therefore, is not
the

the supposed convention ; and it is the supposed convention.

It is the supposed convention, if it be fair and just ; it is not the supposed convention, if it be unfair and unjust.

At the same time, if by convention be meant what is called the *original contract*, it must be fair and just by its definition ; for fair and just is another expression for the rights of man ; and the original contract is the rights of man.

If by convention be meant any particular government, into which the people, contrary to their rights, are either compelled or cheated, the force and fraud are grounds for setting it aside ; and not for maintaining it.

The oath of slavery is not binding. The King of France sinned against his people, against himself, against his family, in not breaking (as he did not break) the oath of iniquity and compulsion, which he took on his pillory and renewed there. His keeping it was a crime ; for which he can only be pardoned by posterity, by its appearing that he could not break it. Could such a thing be (with stable society) as the punishment of Kings, the crime was here. One of his counsel from his name should be a good man. But it was for this reason chiefly, that I would as soon have been his hangman as his advocate ; and putting all considerations of the bloody farce out of the question. I repeat it again ; his innocence was his crime.

No ;

No ; convention (if this be convention) is not the law of government or society. The sovereign people in France broke their *voluntary oaths*, their oaths of their own framing. This was certainly guilt. An oath is indeed a sacred thing. Yet it is better to break an oath of murder than to keep it. But they broke their oaths, to murder still more ; to massacre their brethren and their King.

That convention again, that contract, which ascertains the portion of rights surrendered by social man, which consecrates and guards the portion of rights retained by social man ; what properly speaking and alone are his rights ; that convention, the law of society, is the umpire of all subordinate pacts ; which receding and approaching, in great diversities of distance and nearness, according to all those many causes which have made different forms of government relatively more and less fitted to different communities of men, are yet all to be justified in their departure, and all regulated in their approximation, by this universal law, this general reason of mankind. Any government founded in contradiction to it must be unjust. Many governments may recede much from it, and be just still. While causes of diversity in governments exist, it would be contrary to this general reason that they should *all* be the same. While they differ, it must be according to a difference, of which this general reason, applied to the circumstances, is the measurement and rule. And this, in
a sub-

a subordinate sense, is the original contract of the community.

Such is the law of society ; the law of government. The usage of government is not its law. The usage of government, if not contradictory to the law of society or government, gives great strength and confirmation to its law, is the best interpreter of its law, and may become its law.

Still some person may inquire what is this law of society, this general reason of mankind ; and without any shame of ignorance one might say he could not tell him. If the words do not explain themselves, it is not easy to explain them. Yet what I have already said is a tolerable explanation.

It is not the absolute rule of any government ; and it is the justification of all government. I need not mention that I mean good and equitable government. It is also the justification of all liberty. When liberty is violated, men appeal to it. Men appeal to it, when government is disobeyed. I mean extreme violation and extreme disobedience ; when ordinary authority is not acknowledged, and ordinary privileges are denied ; in tyranny and in rebellion. Against claims of tyranny these true rights of man are produced, to shew that their freedom is before their government. Against claims of rebellion these true rights of man are produced, to shew that their freedom is in their government.

If any body chuses to call these rights of man,

his

his *natural rights* ; I have no sort of objection. Only he who uses the word should know the meaning of the word.

They are not natural in the sense of a state of nature ; because man has more rights in society and less rights in society ; that is rights *enjoyed* ; than in a state of nature ; and in point of *security*, he has, in a state of nature, no rights at all. Here I take a state of nature for that rudest primaeval state, in which there is no government, or nearly no government.

If by a state of nature be meant that scientific scholastic term, invented to denote what is independent of society and exists at all times, without any consideration of any thing but itself ; and if natural rights are meant of these ; then the term is partly admissible and partly objectionable ; admissible in that mens' rights are not created by society ; objectionable in that mens' rights fully exist only in society. It is true that even those rights enjoyed in society and secured by it, are independent of society as a *cause* ; that is as we use the word *cause* in modern times ; for antient philosophy (whose metaphysics to our sore loss have gone much into decay) would make society the *material* cause in which those rights of men inhered that were themselves the offspring of general reason and justice ; as it would also make those rights the *final* cause of society for whose conservation it was instituted ; but as an *efficient* cause it is certainly true, that

that even social rights are independent of society. The term *natural rights* may accordingly be used for this purpose and meaning, and to denote this difference. Yet this is denominating a thing from one of its qualities instead of from its essence; or instead of from all its qualities, which are to us its essence. It is besides a fictitious denomination, even as of the quality.

There may be another use of the word *natural*, signifying what is universally acknowledged as just and reasonable, what the old Roman lawyers called, in a supereminent sense, *jus gentium*, co-extensive and coeval with social man. Cicero, who lived in the greatest intimacy with the greatest of these lawyers Sulpicius, has called this, in less scientific language, (and they also sometimes used the popular phrase) *jus naturale*, or the law of nature. In this way, we say natural reason, natural religion, natural rights; meaning in each and all of them, what are the simple, pure, perpetual, universal dictates of our feelings and understanding. In this acceptation of the term, an appeal to natural rights is just an appeal to man's reason concerning what are and ought to be his rights; that is an appeal to what he feels and knows has increased or diminished his own happiness, what he has heard to have increased or diminished the well-being of others, what has been the best security against evil to himself, what the best security against it to others; that is an appeal to general convenience

convenience and utility through experience and history; that is an appeal to whatever in the *modern rights of men* is not appealed to.

I have always admired greatly the scientific divisions and definitions of the Roman law; of that law in which the high science of Greece was united with the legislative majesty, the forensic experience, and the judicial wisdom and gravity of republican Rome; and of which the last oracles, with noble and truly republican minds, were therefore the victims of base imperial tyranny. I wish modern authors had never thought of giving any other definitions than what the Romans had given, of the law of nature, of nations, and of particular communities.

There is no modern author that I know of who has adopted the Roman definitions of the law of nature and nations, except Lord Monboddo; who, living as (as he himself says) in the antient world, enables those who share the charms of his society (in his own *noctes cœnæque desin*) to conceive what is the union of Grecian science and Gothic gentility; to carry themselves (in his conversation) to the times when Aristotle philosophised or Douglas fought; and presenting to the memory, in days that are no more, the palm of Athenian eloquence or the wreath of Scottish chivalry. In mentioning this name, I could not resist the strong impulse that came on me from memory and feeling of high mental enjoyment, be-

gun (and since continued) in very early life ; but I go on.

The law of nature, or *jus naturale*, was by the Romans defined to be that, which nature has taught to all animals ; while the *jus gentium* (by which they did not mean, as we in modern times do, the *jus feciale*) was that which was common to men as among themselves, and co-extensive (as I have said) and coeval with their existence and habitation. This, in the sense of being the law of social nature, was sometimes termed *jus naturale* also ; but the strict law of nature was that law of instinct and animality common to man with the animal creation.

By this means they avoided the ambiguous use of the word *nature*, which has certainly led to much confusion ; while the *jus gentium* explained itself to be the common law of social man.

The *jus civile* again was the common yet peculiar law, the convention or compact, of each community. Their divisions (I think) were good. But take them, or reject them, as yourselves please. Yet do not reject this definition.

This *jus civile* Ulpian has thus defined ;—*Jus civile est QUOD NEQUE IN TOTUM A NATURALI VEL GENTIUM RECEDIT, NEC PER OMNIA EI SERVIT : itaque cum aliquid addimus vel detrahimus JURI COMMUNI, jus proprium, id est civile, efficimus.* With this Roman wisdom, I may justly say, *claudite jam rivus.* What could be added, or who would add more ?

“ Men

“ Men cannot enjoy the rights of an uncivil and of a civil state together ;” says Mr. Burke. Not that many of these rights are not the same ; and while none of them can be in contradiction with or contrary to each other ; but the limitation and ascertainment of rights is the civil state, while the uncivil state is where they are not limited and ascertained. The one state is exclusive of the other ; and there can be no appeal. The one state is derived from and founded upon the other ; and there is an appeal. Otherwise the civil state would be of no stability or security. Otherwise it would be a state of will and not of right. All these things were reckoned very plain, till the French metaphysics came.

And my friend at last discovers that they are so ; for light breaking in upon him, even in the darkness himself had created, from the great and constant illumination of his own mind, he catches it strongly, and then shuts his eyes against it.

The great difficulty was, that if Mr. Burke (which my friend now began to see) had admitted all that was admissible of men's rights without unhinging society and government ; which was destroying their rights ; while at the same time his doctrine was directly in the face of the French claims ; then, in these circumstances, he must abandon that *grand theoretic principle* of which he had undertaken the defence as either false, if it went beyond Mr. Burke, or nugatory, if it went

no farther ; wholly idle in this last way as doing no good ; or most pernicious, as being a cloak for evil ; and (what was worst of all) as in no way justifying, upon ideas of abstract right, any of their actual proceedings. In these straits what does my friend do ? He wheels about completely. He does not merely wander as he had done before ; but makes an absolute change of his thesis. He makes the question to be, whether having obtained an end we should discuss the aptitude of the means ? which is, whether enjoying liberty, we should ask how we came by it.

Sometimes we should, and sometimes we should not. If any body should say to us that we had no right to liberty, it is proper that we should be able to tell him that we have. At other times we may enjoy our freedom and be silent. As to the aptitude of means, an end being produced is a strong presumption that the means were apt. Yet as it may be otherwise, it is a liberal and a dignified inquiry for wise and grave men, to examine what means are best fitted to produce good ends ; and I shall be sorry for the day when such inquiries cease.

My friend enters into a long reasoning on this subject. He goes into a sublimity of morality that I cannot reach ; and our business is not here with morality. His argument on the present subject has been partly considered before. So far as it touches this matter ; from which he keeps at as

wide a distance as he can ; it is, that general expediency ought not to yield to particular convenience. And in this respect there is no change of the argument from what it was before. I agree with him. Mr. Burke agrees with him. I mean generally ; for my friend here speaks very loosely ; as will appear to him who reads on. The law of society, the law of government ; the general convention, the subordinate convention ; these are the rules which are paramount and supreme ; whose general authority prohibits all particular innovations ; and which yet, being not immutable as in any community, are changed by the accommodation (which ought to be expedient also) of principles to circumstances of situation and times. This is the principle of reformation, which is the combination of the principles of stability and change.

What has been more largely said than I intended on this subject, will render me shorter on the subject that is to follow.

There is nothing that shews so much the impotence of understanding in the reasoners of this age, as what has been said concerning Mr. Burke's argument on the revolution settlement. I shall not go among the rabble, but confine myself to my friend ; whose steps (even in his strength and manliness of intellect) have in the somnambulism of French revolution been also found here.

That which they hold out as their great matter of triumph against Mr. Burke is his maintaining, in the terms of an act of parliament, that the hereditary succession of our monarchy, was established in perpetuity at the revolution. This my friend calls a "statutory abolition of the rights of men;" and the power of the parliament to make such a statute he wholly denies.

If by rights of men he means rights out of society, they were abolished as to any direct and existing influence by the institution of society. If by rights of men he means social rights, then instead of being abolished by this statute, they were exerted, (as it was necessary they should be exerted) and by the body intrusted with their exertion, to settle the form of government; and had this parliament only made a temporary settlement, they would not have fulfilled their trust.

It is quite needless to say any thing more. The rest is proving day-light. But let us do it in this proving age.

Aye, but, says my friend, an irrevocable law had been made by the parliament of Elizabeth; and this irrevocable law was broken by the revolution parliament, who made another irrevocable law. Does not this shew that neither of them was irrevocable? There is some bar logic here, which would do in pleading a cause; but there is no reason.

Mr,

Mr. Burke, in plain common sense, had thought that two statutes, or more than two statutes, declaring the hereditary nature of our monarchy, were still stronger than one; and that they were the more strong for re-enacting the *principle* in the *very fact of deviation*. The deviation was thus shewn to be of temporary necessity; and the principle of perpetual law.

But can one generation bind for ever another generation? This is not so much of my friend as of Mr. Paine; at least in words, but it is in principles.

This question has been shewn to be nonsense by arithmetical calculation; there being no one generation that goes off at a tangent and by the mass, to give place to another generation. There is a perpetual renovation and a perpetual decay, in a subject not for one moment the same. But taking the matter out of this, it is equally foolish.

One generation cannot bind all generations contrary to the rights of man, contrary to the fair and just pact of society or government. They cannot even bind themselves; and upon discovering the iniquity they ought in all reason and justice to amend it. But they can bind themselves, and they can bind their posterity, by a fair and just pact; otherwise there never would be any government.

If it be said that a hereditary monarchy is inconsistent with the notion of a fair and just pact; this

is quite another question. This is getting into the question of monarchy elective or hereditary; of monarchy and republic; of one republican form and another republican form; and not of the people's right (which was never in the world before denied) of establishing in one or other of these forms a just and permanent government; which the citizens were to defend with their lives and fortunes; attempts against which were treason, and treason was death.

If in order to preserve the constitution thus formed, it be necessary in any case to deviate from its strict rules, the deviation must be measured and justified by the necessity. According as the necessity arises, the deviation may take place either in the times of those that made the settlement, or in the times of a posterity, near at hand, or immensely distant. The more distant, the more and greater necessity will be required for its justification. In a recent settlement changes may be made, which demand much more weighing in the sacred transmission of original rights, strengthened by the consolidated wills of a thousand generations.

Among all the schemes of government that have ever been broached, none ever yet was proposed carrying in itself, and having of its essence, the principle of its own subversion; declaring and holding out this as its principle. Even the French abortions were held out as to live; and even as being

being immortal. If the revolution parliament had not *submitted themselves and their posterity for ever*, they could not have renovated the constitution but destroyed it. All former parliaments when deviating by necessity from the constitutional line, re-established the constitutional order after having made the deviation. The cases had not been many. The revolution parliament did what former parliaments had done ; and future parliaments (should the case exist, which every citizen must wish never to exist) will do what the revolution parliament did ; making change from necessity and seeking establishment from choice.

Salus populi suprema lex. This was the old law. By it no generation can bind itself, can bind posterity, against its own safety, against posterity's safety. By it necessary deviation is itself a part of the covenanted constitution. The first of all duties is self-preservation. Violate the government to save the government. As to *voluntas populi suprema lex* ; it is not to be found among the classics of liberty. It is used only by the writers *infimi ævi* ; and, even among them, the direct absurdity is not hazarded, that we should establish a government for the purpose of overturning it. Yet what they say is nothing else.

Before the revolution the succession of the crown had been limited ; and the hereditary succession preserved. By a statute of Elizabeth (very different from the one my friend mentions) it was made

made treason to affirm " that the common law of
 " the realm, *not altered by parliament*, ought not to
 " direct the right of the crown of England ; or
 " that the Queen, *with the authority of parliament*,
 " could not make laws of sufficient force to li-
 " mit," &c. the same. 13. Eliz. c. 1. What
 of this statute regards the power of parliament,
 (the King, Lords, and Commons) in the matter of
 succession, was twice enacted after the revolution.
 The common rule, and the power of deviation
 from the rule, were thus both established in the
 older as well as the later times. Yet the power of
 deviation would have been the same, though the
 statutes had been silent. No law of the monarchy
 can be pleaded against the existence of the monar-
 chy. The *Salus populi* is again the supreme rule ;
 but a rule which would defeat itself were the peo-
 ple to be (as speculating on good and not indig-
 nant from evil) the ordinary judges.

I am weary of this subject. The affirming so
 many evident truths must give a man the vapours.
 I shall just mention one thing more.

My friend labours hard to prove that the revo-
 lution settlement was an election. In one sense it
 was an election ; for the next heir was set aside.
 But his Jacobite member, for whom he makes a
 very good speech, would have had nothing to an-
 swer to the plain declaration, that they had indeed
 deviated, for which they were sorry ; but had de-
 viated as little as they could. At the same time
 what

what is good reasoning for a Jacobite member, is not good reasoning for my friend; which he seems to have forgot somewhat.

He quotes some passages to shew that the Whig managers thought and meant it to be an election; *because* when hard pressed by their adversaries (as I am *in this point* by my friend) *they could not wholly deny* that it was an election, while *they would not allow it* to be an election; and *disclaimed the term as none of theirs*; and *because* they declared the crown wholly inelective and hereditary for ever. My friend will not deny that he does all this.

Last of all, he declares his firm belief, that the revolution Whigs did every thing they wished not to do, and did nothing they wished to do. I can only say, that I think better of them; and here let the matter rest.

And now I am out of the logical circle; and throw away my wand. The worst of the thing is, that this matter of disputation has now come in also upon private life. At an old dinner we are told, *qu'il y eut plusieurs propos tenus tant de chiens, d'oïsaux, d'armes, que d'amours*. They did not suffer themselves (and they were very wise) to be ridden by the night mare of some metaphysic vision.

My friend adds some praises of Fletcher of Saltoun and Buchanan. Fletcher was all honour, and Buchanan was all—Yet I would not like that Scotsman who did not glory in Buchanan; but
neither

neither for his political conduct nor his political writings. The book *de jure regni apud Scotos*, is a piece of very elegant Latin ; and it is a shame on that account that it is not more known. And there is no danger from it ; *for it contains no principles*. It is innocency all over.

Fletcher (as I have said) was all honour. He was the very pink of chivalry. There is a way now of making old renown cover present infamy ; by which modern baseness is led up in genealogy to antient heroism. In this way our democratisers count Fletcher among them ; that man of whom it was said that he “ would lose his life willingly “ to serve his country, and would not do a base “ thing to save it ! ” He was a republican in the days that he knew. In the days on which we have fallen, he would have been a royalist. He would have been (without all doubt) in the emigrant camp, and carried Condé’s banner.

I wish those who praise his writings and conduct would think of understanding them. He appears to have thought, contrary to the modern system, that men were of as much consequence as their rights ; or, to profane neither word (as neither word should be profaned) that man’s rights could exist only in a nation of men. “ A good and effective militia ” (he said) “ is of such importance “ to a nation, *that it is the chief part of the constitution of any free government*. For though, as to “ other things, the constitution be ever so slight,
“ a good

“ a good militia will always preserve the public
 “ liberty. But in the best constitution that ever
 “ was, as to all other parts of government, if the
 “ militia be not upon a right foot, the liberty of
 “ that people must perish.” And with regard to
 the Swiss, he does not inquire into their aristocra-
 cy or democracy, nor speak of primary assemblies
 and lawgiving clubs; but “ the Swiss” (says he)
 “ at this day are the freest, happiest, and the peo-
 “ ple of all Europe who can best defend themselves,
 “ because they have the best militia.” The virtues
 of a militia (as we mean a militia) I much doubt.
 But this is all one to Fletcher’s meaning. It is a
 public spirited and independent people, that makes
 a free and happy nation. A good constitution is
 only good as producing and fostering this spirit.
 Without this spirit what signifies the form of a go-
 vernment! And with this spirit there will always be
 a good, and often the best form.

I will not argue directly against any reforma-
 tions as in themselves merely, that do not go in
 abstract force to the dissolution of government.
 They are otherwise all considerations of circum-
 stance; and like all such considerations must be
 examined at detail and in many views. To con-
 sider them abstractedly is scarcely even worthy of the
 schools; for the schools may find many better to-
 pics. But the great reformation of our day, and
 what I am afraid the modern men are little fitted
 for, is recovering the high spirit and ardent virtue
 that

that have ennobled this people. Our national character is still excellent. Our private morals have withstood corruption. But high public virtue has declined much; and this is what we should seek earnestly to restore.

As to the delusive dreams of happiness, the millennium visions, that serve only to disgust us at all sober exertions; let us banish them for ever. They are false lights that lead to destruction. Promises and schemes of high felicity have generally had the same objects, and always the same end.

“ Zephyris illic melioribus halant
 “ Perpetui flores, quos nec tua protulit Enna.”

It was thus the ravisher cheated the goddess when he led her to hell.

That league of universal peace, which is fought through blood and crime, displays its nature by its means. On this subject what was said some time ago, is much truer and more applicable than it was then.

*Contendunt, scilicet οι Γαλλίζοντες, acriter contendit
 ο δειρα, omnes denique ejus fautores ὁμοθυμαδὸν καὶ δημο-
 φωνως contendunt fore, hoc foedere perfecto, ut Galli
 positis armis mitescant, neque ex occulto vel insidiis
 aliquid agant. Dulce fateor est nomen pacis.
 Rem vero ipsam cum jucunda et salutaris sit, quovis
 fere pretio emerim. At verba hujusmodi, utrum a
 dolo hostium an virtute profecta sint, haud quisquam
 addubitaverit. At Gallos, quos ἀπειθήντας crediderim
 esse*

εἶναι μάλιστα ἀξιοπρεπές, eosdem illos tum maxime, cum dona ultro ferant, TIMENDOS esse statuerim. AT PACIS NOMINE BELLUM INVOLUTUM REFORMIDO.

This language seems indeed made for the present times. Its striking aptitude has appeared to others as well as myself. I had occasion to see a similar application in a very excellent piece of Latin; which the way it came into my hands alone prevents me from naming; and I mentioned the coincidence when returning it to the author. The οἱ Γαλλίζοντες (the double article cannot be helped) who are in the secret, cannot be mended. But the οἱ Γάλλίζοντες of foolish honesty (and therefore of much mischief) should indeed beware!

What he says of Lord Chatham is equally true, as applied to these affairs. We should have been in necessary and open hostility sooner. *Fulguraret more suo et tonaret contra eos, qui propter incertos exitus belli Martemque communem nimio sunt in metu. Diceret in senatu, esse omnino fortium virorum, quales nos esse debeamus, virtute præstare tantum, ut possint fortunæ culpam non extimescere.* This is the language necessary for the time; if ever any time made it necessary.

This blind hope of good, this bandaged wisdom, which catches at every flitting shadow in the obscurity of ideal reformation, is the most dangerous of all things. *Umbrarum hic locus est.* It excludes every real and living system of liberty; while the sword of reason is in vain drawn (and this itself is
the

the chief evil) to disperse these thronging phantoms that obstruct the way of truth; *tenuēs frustra diverberat umbras*; which are to it invulnerable. If things go on; they will be invulnerable to reason and feeling united.

It is a dreadful consideration! A man settled and domiciliated in this new world, is wholly a new creature. All human thoughts and feelings are done away. He hears of the pouring out of blood by sworn assassins, just as he would hear of murders (reported by Herschel, from his telescope, as perpetrated) in the moon. It is really thus. And the thing is more dreadful (beyond conception dreadful!) that great humanity may itself be the cause of this. In the world of phantoms he has made, and where all is happiness and peace, evil is to exist no more; and he thinks little of those convulsive throws, that are wholly to do away, and so surely to destroy, political diseases and death for ever.

No good man can indeed bear the present shock; and while these terrible things are in the very acting. When carcases were piled upon carcases in heaps, and lay (for days after days) rotting in the sun, in the streets of the French capital, even the new votaries turned away their eyes from this grand sacrifice, that reeked on the new altar. But they only turned away their eyes. Its memory was soon no stronger, than when in general recollection (and without any proper image raised

raised in the mind) we barely remember, as bare facts, the altar of Perusium or the massacre of Bethlehem. To speak of the old bloodshedding and the new, had also very different effects. In the former, (natural feeling having vent) to speak was calling out pity and rousing indignation. In the latter, (the new civic philosophy coming forth) to speak was apology or justification.

This description of men are but few. They are not of the common herd; and some of them are not nearly so far gone in the delusions. As to the great mass of unthinking men, whom instant and plain danger, or instant and plain advantage, happen to draw off from schemes where they saw no danger, and thought they saw their advantage much; there is in them, when the times are more calm or more troubled than now, great and imminent (though unmeant) mischief, to the state and to themselves. One lesson they should especially learn.

Evils do not justify evils. The murders of August are still the same, notwithstanding the murders of September. Yet there are arts employed, by which the unguarded mind is led to give confidence to one set of murderers and villains, because they have been succeeded by another (and not always another) set of murderers and villains. The thing will be clearest by an example. And there is a very striking one, in a noted murderer and villain, Brissot. There are others besides (Ro-

land, and such as Roland) concerning whom men hold the same dangerous language. It is indeed dangerous!

This being (none of them can be called men) was not a member of the first National Assembly; but he was one of the masters of that Assembly, as a member of the Jacobin club. He had distinguished himself greatly from the beginning; but on the 10th of July 1791, he exceeded even himself. It was then, after the King and Queen of France had been again led in ignominious triumph before their subjects, and when the last effort for saving themselves and their people from destruction had failed, by their being seized at Varennes and conducted back to their prison, that Brissot made his savage speech in the club of the Jacobins, for the immediate murder of the King. His speech was printed; and by order of the society. It belongs to the history which I have omitted, to tell how this design (not from any motives of good or mercy) was not at that time accomplished. A full year intervened; and then came his 10th of August 1792; which, after the due progress of all the new tortures preparatory to death, had its fatal completion in his 21st of January (was it! for I do not certainly remember, and shall never seek to know this blackest of all days in the world's records) by an assassination, for which there is no name. It is said that this man (must I so term him!) did not equally direct the massacres of September.

On this

this

this account (and I am far from knowing that the fact is true) he is now given out as a person of moderation ; thus among multiplied crimes making one crime the less a title of virtue ; and not even one crime the less, being (only as unnecessary or destructive to his power) abstained from even criminally. The same thing is doing, in some measure now, as to Petion ; to Petion, a being, in my sincere belief, wickeder much than Marat. It is a great engine of iniquity, the speaking now only of Marat and Roberespierre. The *Mountain* has existed from the first ; and Necker complains of it even in his time ; in the constituting assembly. There are opposing factions among the wicked men in Paris, who had and have, who possess and seek to recover, their power. The prevalence and crimes of the one, if made to drive from our minds the crimes in the prevalence of the others, is a sure means of complete impunity for what has been done, and of full licence to do more. Even if mutual destruction were necessary for their ends ; or thought necessary ; the murderer that murders his fellow murderer, does not take away his crimes in his blood. Let us not so miserably deceive ourselves. Let us not thus debauch our morals. Let us not thus prepare our own destruction. He who has double distanced his competitors in the race of crimes, walks over the course for some time ; but it is not a long time. Other runners soon appear for the popular plate. This has been the suc-

cession of wickedness in France. He is equally criminal, whose condemnation is not of all equally.

Compassion for such men when they fall (if compassion for such men can exist) is great guilt. The punishment of tyrants is, without question, consolatory to the human mind. *How bath the oppressor ceased!* is the exulting expression of divine inspiration. The nobleness of feeling is indeed taken away when oppressors only perish by oppressors. The lengthened cruelties of democratic vengeance might also pain and disgust us; while we saw besides most forcibly the deep iniquity of the hand that gave torture or death. But to lose all sense of retributive justice (even in wickedness punished by wickedness) is to have a compassion either created by, or which will infallibly create guilt and crime.

It is an old Greek saying, that a short time dissolves the connexions of the wicked. It is equally a truth, that a short time restores the connexions thus dissolved. For purposes of wickedness they separated; and for the purposes of wickedness (when they cannot otherwise be accomplished) they will unite. Even their remnants will do so; should their ranks be thinned by mutual murder. The only consequence of the victory or of the union will be, the taking still more bloody security for themselves and their future safety. In this course of carnage they will not pull up, till they are far past the winning post.

It

It is impossible to hinder the books from being printed; but if they are read in the spirit they are written, our morals are for ever gone; those books, which, describing massacres, draw not so much the comparative lines of enormity, (much and deep iniquity though this would be) as the approaches among them to innocence or justification; where those who do not wish for murders that destroy their own power, are therefore held guiltless for murders to obtain, or while possessing power; where blame (for, gracious God! it is only blame) is dealt out, after much weighing and consideration, sparingly and cautiously, with all the possible restrictions and palliations. Such things are much more dangerous; of that there can be no doubt; I think them even, and without any regard to the danger, much more criminal, than any direct (even though it should not be of enthusiasm), or any open apology and vindication. He who should make a set discourse to prove that a man should not kill his father, might prove that he should kill his father. The mind that once reasons on these things, has lost all feeling of their enormity. It may be pretended; but it is not.

On the head of morality, if we are merely to reason, where will be the difference between *Brutus* and *Jean de Brie*? Opposite wickedness will say that there is none. I shall here say nothing. But he who wishes on this matter to see the picture of heroic virtue, as seized in all its lineaments

by eagle-eyed intellect and heroic feeling, will find it where Montesquieu, in his work on Rome, speaks of Cæsar's death.

If we merely reason, that is, if we throw away the one half of our nature to debauch and stupify the other; in this metaphysical delirium, in this chase of universal good, we may come to perpetrate any thing. The moral pressure being removed, and all the parts of our system receding from each other, it will be finally annihilated in the burning vapour and dreadful explosion of the new French calorique !

Universal good will justify (this cannot be too much pressed, it will certainly justify) any kind of evil. How sure ought we to be of the consequences, before we adopt a principle of conduct that must and ought thus to justify all consequences ! There is no doubt that under the dominion of a good God, all evils will in the end be made blessings. But the goodness of God does not justify the wickedness of man. Even in the act which wrought out the salvation of our race, was there on this account less guilt and horror, in the shocking imprecation of—*His blood be upon us and on our children ! !*

I have raised an image at which my soul recoils ; and I shudder all over. But the moral truth is just the same. Indeed, indeed, it is. We yet all know it.

Let us then be men ; and guided by the principles and feelings of men. Let us seek good and hap-

happiness with earnestness, but with wisdom; firmly yet moderately. Let us seek them, where the still voice of truth is heard, in its own haunts, and in according harmony with the voice of natural feelings; in that real philosophy, "musical as is Apollo's lute;" and not in the dark howling deserts of democracy, where human monsters gorge themselves with human victims; while

"Before them, death with shrieks directs their way,

"Fills the wild yell, and leads them to their prey!"

Let us be assured, as the first lesson of all reason and justice, that good ends are always sought by good means.

There are indeed deviations in morality as there are in the constitution of governments. *Splendide mendax* and *magnanima mensogna*, were not imitations of each other; they were the natural exclamations of approving moral feeling in those distances of times. We conclude from reason (and were the sphere of our intellect extended more, we might see) that these deviations were in fact themselves part of the great moral rule of the universe. In the mean time to us they are deviations; which necessity only can justify, and when thus justified are our moral glory. Deviations from the the great standing moral rules are (all) high crimes or high virtues. None of the last sort were ever atchieved by him who set at nought the general rules.

In Brissot's infernal speech, even *his* ignorance (increased by the assistance the art of printing gave it) quoted authorities of assassination. Among others he built much upon Mariana; *who had laid it down as lawful to murder and poison kings.* The same morality he might have found in all the *Jesuits* of that age (of whom the modern moralists are only the copyists); who holding ends to justify means, destroyed the obligations of promise and covenant, that faith might not be kept with heretics; and taught in express terms that assassination was no crime. The splendidly logical examination of these doctrines is to be found in that eternal honour of French literature, the *Lettres Provinciales*. Had this book gone on, a long account was to have been given of the doctrine of *non-resistance and passive obedience* in England, as arising from this doctrine of general assassination. It is a consideration that throws great light on our constitutional history. In the mean time, let us return to where we were; and be persuaded that good ends are always sought by good means.

In seeking these good ends, and employing these good means, we should be careful who are our guides and our associates. Far am I from excluding any man from this good work, who has honesty and understanding: but it is a sure proof that the person wants one of those qualities, or both,

both, who pretends a general mission of citizenship for reform and change; and who places his call and his schemes on the ground of general right, or for the purposes of general equality. He who is to reform aright, will reform according to what the state is, not according to what is out of the state; unless in cases where the system is contrary to man's rights; which is the abolition of tyranny, not the reform of government. Even in this case, such propositions are to be examined with care, as they will be produced with fearfulness; that fear of a man's own judgment, which at last gives true courage to his conduct; but a courage which he will never exert unless with prudence; that prudence which, at once comprehensive and minute, perceives the dangers and the advantages, their general and their relative effects, where the one sort is balanced or outweighed by the other, what wisdom should hazard boldly, what it should abstain from with self command; failing nothing in firmness, sinning nothing in rashness. This is political prudence. I do not rank it too high; nor ascribe to it more qualities than are its own. Prudence, in its proper sense (I do not mean timid selfish cunning), as that enlarged wisdom which should guide all public and all private conduct, has been called the Queen of all the Virtues. It is right that they should all attend around her; to do her homage, and to grace her court.

This

This political prudence is not confined to any set of men ; though it can be acquired only by its own set of means. Out of the mass of the people in all free governments, individuals arise to take the stations and do the duties of wisdom and power. Mr. Paine has said, that France “ has outgrown the baby cloaths of *Count* and *Duke*, and “ breeched itself in manhood.” He had not learning enough to mean a pun ; which he might have otherwise made ; that France, notwithstanding the reign of the *Sans Culottes*, was still *Gallia Braccata*. What besides he meant it is needless to inquire. But he observes one thing, in which I do agree with him ; that there are *nobles of nature* ; and while these nobles of nature last, I will tell him, there will also be *nobles of the nation*. Those who run down the distinction of ranks, and the institution of nobility, are not nobles of nature. No rank indeed ought so to be exclusive as into which virtue cannot be raised. My veneration for rank and birth (and it is a natural veneration to us all, and needs to be forcibly excluded) is as high as can be felt by any man. But he who truly venerates rank and birth, will never wish it to be exclusive ; even though exclusion did not take away perpetuity. He will wish it to be reasonably open,

“ Which way or from what hope dost thou aspire

“ To greatness ?”—

is the question of equality and slavery ; where all exaltation is of the gift and the taking away of the master :

master : where there being no nobles of nature,
there can be no nobles of the nation.

- " Great acts require great means of enterprize ;
- " Thou art unknown, unfriended, low of birth,
- " A carpenter thy father known, thyself
- " Bred up in poverty and straits at home."

These were the words, and the former was the conclusion from them, said to be addressed by the devil himself to the Saviour of men ; when by divine permission he had power over him for forty days : and they are such words and such conclusions, as those who resemble that speaker, will at all times make and employ. Yet notwithstanding, and to preserve the rights and privileges of this high natural cast itself, the road to power should not be easy, nor even put in the common acquisition of common wisdom ; while that people who do not perceive fraud or folly in the mere general pretences of general reformation, grounded upon equal claims of right, will incur the double misery and crime of giving low masters to themselves, and of excluding from all power and depressing wholly that natural aristocracy, which at once balances and recruits the high actual aristocracy ; and which, in times of danger, is itself the great arm of popular exertion and popular stay.

Speaking of nobility, it was one of the subjects on which I intended to have said much. It is a very striking thing, that Paine, and all the enemies
of

of nobility, knowing that in man's nature there must be rewards, propose for that purpose personal distinctions. I do not speak of the impossibility of personal distinctions not becoming more or less hereditary. This has happened in all cases, without any exception. But in talking of these baby-clothes, they put them on the man, and will not allow them to go to the child. But leaving such prattle, and in most serious speaking, nobility that is not hereditary (as all nobility Roman and feudal has been) can be of no use in the way of reward. He will never do any thing worthy of reward, who is to be satisfied with the gewgaw given to himself, and that is to be carried on his coffin to his grave. It is the founding a family ; the living in representative nobility through ages. I could easily enough conceive a man that was married (and in some cases where it has been done, it may have been on this ground) declining a title for himself, and wishing it most earnestly for his wife ; himself a commoner, the husband of a peeress, and the father of a peer.

Besides this care in choosing our associates and guides, we should not even seek good ends and by good means, merely because the ends are good and the means are good. We ought to be satisfied with less than perfection. "That state," (Mr. Burke said this long ago, and when there was no controversy about France, and when he was strongly pleading in behalf of the people, and at the

the people's earnest request, and for which he was covered over with the formal thanks of almost the whole nation ; " that state," he said) " which lays " its foundation in rare and heroic virtues, will " be sure to have its superstructure in the basest " profligacy and corruption." Perhaps the greatest exertion of high public spirit is in resisting the allurements of indefinite good. This is true virtue. Perhaps ; and going to taste, a natural companion of virtue ; in constitutions of government true taste may have a perception of the same sort, as in estimating female beauty ; where the eye rests with delight on that fascinating appearance, that *morbidezza*, which is not the opposite of health, and yet is not health full blown and robust ; and of which the charms are indescribable. There is certainly an alliance in all matters of just intelligence and true feeling. I am not sure that I could wholly like a man who had nothing bribeable in his nature. I am sure that a virtuous man with something of that disposition, would be the most inaccessible to corruption. It is time enough to live among angels, when we are dead ; and we will be the better fitted for their company that we live well as among men ; which we can only do by not seeking to live better than men. To take another instance ; and one which has never failed. In all times (and where nothing was done contrary to man's dignity) an incontestible sign of independence of mind and heroic spirit, has been submission

submission to the will of a woman. Our human nature is the composition of many principles ; and it exists only (as it ought to exist) in the full and according energy of them all.

As to the people ; if they seek good without feeling grievance, we may be sure they are wrong. In the old times, the voice of the people was never heard but from oppression ; and it was therefore a sacred voice. Now it is heard from speculation ; and it is therefore the voice of crime and iniquity. Long ago, they spoke from feeling ; and he who refused to listen to them could not be guiltless. It was the voice of God in the natural expressions of the mind of man. Now they speak from airy hopes of imaginary blessing ; and he is criminal who does not warn them of their real danger, that will thus surely be brought on. It is the voice of ruin and sin, in the fabricated language of that being who rejoices (it is said, and as the enemy of man) in sin and ruin.

There are other things ; and against which we should most anxiously guard ourselves, in these days and principles of change. But at last, Gentlemen, we must part. I can assure you, in taking my farewell, that there is no living man who is less your enemy ; perhaps none who, in real warm honest feeling, is more your friend. There is no living man who looks with more affright, who feels higher indignation, at the horrid injustice and dreadful scenes that are now passing in other countries

ties than France, and in which the actors are not Frenchmen. Yet knowing that I have strong passions, it has been my endeavour (and not always unsuccessfully) to retain as much as I could my mastery of reason. I have said much about feeling, and the necessity of guiding ourselves by natural feelings; but I mean that feeling only, which coalesces with and is controuled by reason; that plain simple sentiment, which is reason's ally and inseparable companion. One of the great evils in the new morality, is this very separation of feeling from reason made at the person's own pleasure, and as his own standard. It was much preached, and (what did not always happen with what he preached) much practised by Rousseau. I heard one of the best men that breathes, even after reading Rousseau's confessions, say that he had great admiration of his independency. No doubt, it was a very striking quality in him; mingled up (as all his qualities were) with great inconsistencies. And if a man will renounce all social virtues, he may indeed substitute this compost of his own instead of the natural union of sentiment and reason; and with no detriment (if he be not a teacher of mankind) to any other than himself. If the person is to act in society, he will be very dangerous in the society that allows him to act. Natural feeling, therefore, and natural reason, if not one and the same thing, are in constant conjunction in all truly reasonable actions, or in all actions of real

real and true feeling. When they are fatally separated, a man might commit such deeds as would, in the remembrance, dash for the time the felicities of heaven.

On this account, when I turn my eyes to Poland, I take care that my passions shall not be alone. There is a very plain and obvious rule of morality, which will keep us from going astray.

Besides the mere feeling of moral indignation (which you, Gentlemen, of all others, will tell us is no justification of an interposition leading to war) what ground of policy would demand our interference in the affairs of that vexed and ruined kingdom? Policy could give us no other reason, than what (before the new hatred of war began) was called the balance of power in Europe.

Besides the mere feeling of moral indignation, stronger much than even as to Poland, what ground of policy demands our interposition in the affairs of France? I leave here all the smaller facts which in diplomatic policy (and with the greatest reason) justify the war, and the interference which led to it. Policy (high and enlarged policy) gives us a reason it never before gave to men; the existence itself of human society.

In such a situation, gentlemen, duty is evident. We are thus also furnished with a sure criterion to judge most accurately of what men mean. To be well as the fate of Poland, as in mere human feeling, becomes us all. To lament it with that high in-
dignation,

dignation, which leads to arm against its oppressors, is a spirit of chivalry ; a sentiment which I myself think sufficient (where there are not strong opposing duties) to arm nation against nation. But he who has this spirit, must have had it roused to all its pitch in the cause of human nature against the oppressors of France. It is, therefore, in the friends of those oppressors, or in those who are not enemies to them, a pretence only. Poland is lamented from hypocrisy, that France may grow stronger in crime.

He who really laments both, will see his way very clearly ; though it is a way that he will tread with mournful footsteps. He will do the present duty ; which is irresistible and instant. He will at the same time declare all the opinions and take all the measures, that may enable him to do future duty ; and that do not lead to present inefficiency or overthrow. If the most compulsive duty shall appear to be inconsistent wholly with even these precautions and measures, he will not take even these precautions and measures. His feelings then as to France and Poland will have this difference. Indignation in the case of France, higher far, will yet have vent ; while he compensates present calamity (and thus having the means) with future blessings and reparation. As to Poland, having no hope and being destitute wholly of all visible means, the indignation recoiling on the mind, and there shut up without possible out-

let, might in its workings blow up his understanding.

Against such things where shall we find refuge ! In that religion alone, which the French wickedness is seeking to banish from the earth. In this shaking of all nations, perhaps the desire of all nations is to come. Perhaps the earth is to be filled with that glory, and to be covered with that knowledge, prophesied in the latter times to cover it, as the waters cover the sea ! These dreadful evils may be the near preparations of what will surely one day be. The presumption of man it may be necessary to cast down before beginning his felicity. Neither in the probabilities of human things, is the prospect blackened wholly. This great nation has been saved ; and as it has faced anarchy in its wildest forms, it will be the bulwark of men likewise against all other oppression ; if other oppressions should begin (as I sincerely trust they never shall) after subduing the present. The sovereigns of Europe have learned (or should have learned) wisdom ; wisdom of a different stamp from that reforming and atheistic philosophy, which led them to undermine and nearly to overthrow the pillars of their own power. If these pillars shall be again firmly established ; shall they not be made the columns of freedom's temple, and not the buttresses of tyranny ! Surely they shall !—Yet Poland ! Yes ; if in this progress of our happiness, but in its more distant completion

pletion, the evils shall indeed become insufferable ; if the day of slavery shall fall upon us, from French anarchy not subdued, from despotism of another sort triumphant ; if this " precious stone set in the silver sea," this " green haired heroine of the west," shall lose her lustre and her power ; forgetting her freedom which has made her all she is, or lost even after her deliverance in new delusions ; in whatever form of grimness tyranny shall look at us, if his grasp becomes too strong for any other escape, then, strengthening our mind by examples of constancy, remembering honour when none is to be seen, imploring mercy for his violated laws, with the justification of battle and struggle till means and power were wholly gone, in fearful confidence, filled with holy awe and beaming hope ; with the high feeling of obedience in the very act of transgression, trembling and exulting ; yes ; I speak it of myself ; seeking freedom where it only can be found ; *libemus JOVI LIBERATORI.*

FINIS.

